

No. 19/DP/CIR/MM/2012/ 5089
Directorate of Panchayats,
Government of Goa, 3rd Floor,
3rd Lift, Junta House,
Panaji, Goa
Dated :- 14 / 11/ 2012

CIRCULAR

Consequent upon the 73rd Constitutional Amendment, the State of Goa has adopted The Goa Panchayat Raj Act, 1994 thereby providing for 1/3rd reservation for Women in all Panchayati Raj Institutions in Goa. These reservations in favour of Women are aimed at empowering them and building up their capacity for increasing the participation of Women in the democracy at grass root level. The Government of Goa is committed to all round development and empowerment of Women in Panchayati Raj institutions.

However, recently several complaints are received by this Directorate alleging that in some instances the male family members viz. husband, brother, father, son, etc. of the elected women representatives are attempting to work as a proxy of the elected women representative and are trying to interfere in day today administration of the Village Panchayats.

Such attempts to act as a proxy on behalf of elected women representative are not only in violation of the law, but are a direct hindrance in the path of empowerment of women and would defeat the very purpose of providing reservations to women.

All Village Panchayat Secretaries are hereby directed to ensure that no such interference of any kind by the male relatives of elected women representative is allowed/permitted in day today administration of Village Panchayat. The V. P. Secretary shall be held responsible if any such proxy functioning is allowed to any male relative in Panchayat affairs. The V. P. Secretary shall submit report to concerned Block Development Officer of any such attempts & the concerned B.D.O. shall enquire into the allegations and submit report to this Directorate for further action.

However the V. P. Secretaries shall not deny to such male relatives their basic rights and privileges as citizens/Villagers.

This issues with the approval of the Government.


(N. R. Sawant)
Director of Panchayats

To,
All Village Panchayat Secretaries,
All Village Panchayats in Goa
(Through respective Block Development Officers for service & return)

Copy to: -

1. The Dy. Director of Panchayats (North), Panaji .
2. The Dy. Director of Panchayats (South), Margao for information

ANNEXURE - A

1) Constitution of Gram Sabha:

Through the 73rd Constitutional Amendment, it is for the first time the Gram Sabhas have been given Constitutional recognition. The Goa Panchayat Raj Act, 1994 provides that all persons whose names are for the time being entered as electors in the electoral roll for a Panchayat shall be deemed to constitute the Gram Sabha for that Panchayat.

2) Meetings of the Gram Sabha:

- 1) The Act provides that there shall be four ordinary meetings of the Gram Sabha to be held on any Sunday of January, April, July and October of every year to be convened by the Sarpanch.
- 2) There shall also be special meetings of the Gram Sabha to be convened by the Sarpanch on 26th January, 15th August, 2nd October, and 19th December, every year.
- 3) The meetings of the Gram Sabha shall be presided over by the Sarpanch and attended by the concerned panchayat members. In the absence of the Sarpanch, the Deputy Sarpanch or ward member, the meeting may be presided over by any member chosen by the Gram Sabha.
 - (a) The person presiding at the meeting may disallow the discussion of any proposition which he considers to be beyond the competence of the Gram Sabha, and in doing so, he shall record his reasons in writing.
 - (b) All propositions, not disallowed by the person presiding at the meeting, shall be discussed at the meeting of the Gram Sabha.
 - (c) The person presiding at the meeting shall decide all points of order arising during the course of the meeting and his decision thereon shall be final.
 - (d) It shall be the duty of the person presiding at the meeting to regulate the transaction of business at the meeting and to preserve orders, and for this purpose he/she shall have all the necessary powers.
 - (e) If any member disregards the authority of the person presiding at the meeting or is guilty of obstructive or offensive conduct in a meeting or interrupts the proceedings of a meeting the person presiding at the meeting shall have the power to cause withdrawal of such person from the meeting by seeking police assistance or by any other assistance which may be necessary for removal of such persons.
- 4) In the event, the Sarpanch fails to convene the meeting of the Gram Sabha as specified in (1) and (2) above the meeting shall be convened by the Block Development Officer in the following month.

- 5) The Sarpanch shall, upon requisition in writing by not less than one-tenth of number of members or by the Block Development Officer or the Director call an extraordinary meeting of the Gram Sabha, within thirty days from the receipt of such requisition.
- 6) The business to be transacted at the meeting shall include items as specified in sub-section (1) of Section 6 of the Act. [See (3) *Functions, Powers & Duties of Gram Sabha*]
- 7) The minutes of the previous meeting shall be read at each meeting and shall be confirmed and signed by the person presiding at the meeting.
- 8) Except with the permission of the person presiding:
 - (a) no business which is not included in the notice, shall be transacted at any meeting and;
 - (b) the business to be transacted at a meeting shall ordinarily be taken in the order in which it is entered in the notice.
 - (c) If the business of a meeting is left undisposed, the person presiding at the meeting may, with the consent of the persons present, adjourn the meeting to a subsequent date, time and place to be announced in the meeting. No other further business shall be transacted at such adjourned meeting.
- 9) Any proposal which a person desires to place before a meeting of the Gram Sabha may be sent to the Sarpanch or in his absence to the Dy. Sarpanch at least four days before the date of the meeting.
 - (a) The Sarpanch or in his absence the Dy. Sarpanch shall decide whether any such proposal received before or after publication of the notice should be placed before the meeting of the Gram Sabha or not.
 - (b) The Sarpanch or in his absence the Dy. Sarpanch may disallow any such proposal on any of the following grounds namely:-
 - (i) If the proposal is of defamatory character.;
 - (ii) If the language used in the proposal is offensive.
 - (iii) If the proposal is of trivial nature.
 - (iv) If the proposal is against public interest.
 - (v) If the proposal is in respect of matter which is sub-judice.
 - (c) If the proposal to be placed before the meeting of the Gram Sabha is to be disallowed on any other ground, the Sarpanch or in his absence, the Dy. Sarpanch shall raise the matter before the Panchayat and the decision of the Panchayat in the matter shall be final.
 - (d) A meeting of the Panchayat shall be held on the day immediately preceding the date fixed for the meeting of the Gram Sabhas to consider
 - (e) the proposals scheduled to come up before the meeting of the Gram Sabha.
- 10) The notice of an ordinary meeting of the Gram Sabha shall be given at least seven clear days and in case of extraordinary meeting at least four days,

before the date of such meetings. The notice of the meeting shall specify the date, time, place of the meeting and the nature of the business to be transacted at the meeting.

- 11) The notice of the meeting, either ordinary or extraordinary of the Gram Sabha shall be published:
 - (a) by affixing it at the office of the panchayat and at any conspicuous public place or places in the village, and
 - (b) by publishing it in any one local newspaper which is widely circulated in the villages.
- 12) One-tenth of the total number of members of the Gram Sabha shall form the quorum of the meeting.
- 13) When there is no quorum for any meeting after fifteen minutes from the appointed time, the meeting shall stand adjourned for half an hour and when it re-assembles, no quorum shall be necessary to transact the business communicated to members in the agenda of the appointed meeting.
- 14) An officer nominated by the Block Development Officer shall attend the Gram Sabha meetings.
- 15) The Panchayat Secretary shall write the proceedings of every meeting in the Minutes Book in any one of the following languages: (1) Hindi (2) English (3) Konkani (4) Marathi.
- 16) Any member of the Gram Sabha shall have the right to obtain information relating to any developmental works undertaken by the Panchayat as well as certified copies of the proceedings of the meeting of the Panchayat and the Gram Sabha.

(3) Functions, Powers & Duties of Gram Sabha:

- i. The Gram Sabha plays a significant role in the functioning of the PRIs and various functions and responsibilities have been assigned to the Gram Sabha which are enumerated below:-
- ii. The Sarpanch shall place before the Gram Sabha for its approval the following matters:
 - (a) Annual Statement of Accounts;
 - (b) Annual administration report;
 - (c) Budget estimates.
 - (d) The development and other programmes of works proposed for the current financial year.
 - (e) The last audit report and the replies made thereto
 - (f) Proposal for fresh taxation and enhanced taxation.
 - (g) Identification of beneficiaries under various programmes of the Government;
 - (h) Determination of the priorities of the works to be undertaken by the Panchayat.

- (i) Utilization certificate in respect of the developmental works undertaken by the Panchayat from the grants-in-aid or Panchayat funds;
 - (j) Proposal for organizing community service, voluntary labour or mobilization of the local people for any specific work included in any programme.
 - (k) Such other functions as the Government may, by general or special order, require.
- iii. The decision taken by the Gram Sabha shall be binding on the Panchayat provided it is not contrary to the rules and regulations framed under the Act or any other law for the time being in force and it shall be the duty of the Sarpanch to execute the same as early as possible.
- iv. Any person aggrieved by the decision of the Gram Sabha may prefer an appeal to the Director within a period of thirty days from the date of such decision and the Director's decision on such appeal shall be final. (Section 5 of the Goa Panchayat Raj Act 1994.)

(4) Constitution of Committees:

- (a) **Supervisory Committees:** Every Gram Sabha is required to constitute minimum two Supervisory Committees to supervise the Panchayat works and other activities undertaken by the Panchayat.

- (b) **Ward Development Committees:**
Every Gram Sabha has to constitute 2 or more Ward Development Committees. The constitution, role and functions of the Ward Development Committees shall be as prescribed in the Rules. The Ward Development Committees shall assist the village panchayat in preparation of the draft Development Plans for the sectors allotted to them. The panchayat shall then consolidate these sectoral plans into a **Village Development Plan**. The Panchayat shall then place the same before the Gram Sabha for its approval and forward the same to their respective District Panchayats.

- (c) **Vigilance Committees:**
Sub-Section (3) of section 6 of the Act also empowers the Government to constitute Vigilance Committees to oversee the quality of the work, schemes and other activities for each Gram Panchayat.

ANNEXURE - B

Guidelines for conducting the meeting of the Gram Sabha:

- A. Proper seating arrangements for the meeting of the Gram Sabha:**
- i) All members of the Village Panchayat should be seated on one side preferably on the dais and the members of the Gram Sabha on the other side.
 - ii) The Village Panchayat Secretary should be seated besides the Presiding Officer (P.O.) during the meeting.
 - iii) Proper seating arrangements should be made for the Gram Sabha members at a reasonable distance from the dais.
- B. Display of Agenda of the meeting of the Gram Sabha:**
The Agenda for the meeting of the Gram Sabha as entered in the notice shall be prominently displayed at a conspicuous place at the venue of the meeting.
- C. Records of Attendance:**
A Register shall be maintained for recording the attendance of the Gram Sabha members and the signature of the Gram Sabha members present for the meeting shall be obtained on this Register.
- D. Fixing of the time limit for discussion of agenda items:**
Before the start of the meeting the time limit for every agenda item to be discussed in the meeting shall be so fixed by the Presiding Officer such that all the agenda items are covered within the duration of the meeting. In case any agenda item remains to be taken up due to paucity of time or any other factors the same shall be taken up in the adjourned meeting specially convened for the purpose in the manner as prescribed under Rule 12 (3) of the Goa Panchayat (Gram Sabha Meeting) Rules, 1996.
- E. Drafting of the Resolution**
A resolution, if any, in respect of agenda item is to be adopted, the same shall first be displayed on the Board, set up for the purpose. The resolution shall be worded and finalized in accordance with the decision of the Gram Sabha and after finalization of the resolution the same shall be put to vote.
- F. Preparation of the Minutes of the meeting:**
- (i) The Village Panchayat Secretary shall ensure that the draft minutes are prepared at the end of the meeting. The minutes of the meeting shall only record the gist of transactions conducted in the meetings. However, the

minutes shall necessarily record the resolutions adopted by the Gram Sabha in the exact wordings as approved by the members of the Gram Sabha.

- (ii) A copy of the minutes of the proceedings of every Gram Sabha meeting shall be made available to the members of the Gram Sabha on request within seven days of the meeting and the copy of the proceedings shall be sent to the respective Block Development Officer and the Director of Panchayats.

