

**DIRECTORATE OF PANCHAYATS**

# Citizens' Charter



**GOVERNMENT OF GOA  
DIRECTORATE OF PANCHAYATS  
JUNTA HOUSE, 3<sup>RD</sup> FLOOR, 3<sup>RD</sup> LIFT  
PANAJI - GOA**

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DIRECTORATE OF PANCHAYATS  
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## 1. PREFACE

The Citizen Charter of this Department was first published in February, 2002. However, considering the need of the times and the changing state of affairs, it was felt necessary to reorganize the Charter so as to provide to the citizens, a brief overview of the functioning of this Department and the various services and remedies available under the provisions of the Goa Panchayat Raj Act, 1994 and the Rules made thereunder.

Accordingly, this document is now restructured so as to provide information about the powers, functions and duties of the various authorities functioning under this Department, right from the Directorate level upto the Village Panchayat level. The Charter also provides information about the services available at different levels, the manner in which the citizens can access these services and how to seek a remedy to their problems. This Charter does not in any way create any new legal right but attempts to provide information to the citizens at one place and in a simple and easy manner, for enforcing their existing rights.

It is expected that this concise document will also be useful as a handbook to the general public and the members of the Panchayats and we feel confident that it will meet the expectations of the citizens to a large extent.

Menino D'Souza  
Director of Panchayats

Dated: 24.09.2008.  
Place:- Panaji - Goa.

The Citizens' Charter is also available on the Department's website at <http://panchayatgoa.gov.in>

## 2. INTRODUCTION

### **(1) Background:**

Goa has a unique history of institutions of local self government dating back to ancient times. Descendants of ancient settlers of the villages, called *Gaunkars*, organized themselves into “*Comunidades*” or “Communities” which functioned as an autonomous unit of village administration. The Government was vested in the assembly of elders of each clan or *Vangor*. Members of *Comunidades* consisted of (i) *Zoneiros* (ii) *Acsaocars* (iii) *Gaonkars*. The primary activity of the *Comunidades* was leasing out their commonly held agricultural land, orchards, ponds, through auction. The income was utilized to fund common services for the village like those of priests, barbers, construction and maintenance of markets, halls, etc. This village governance was allowed to exist alongside the Portuguese administrative machinery.

The second form of local Government prior to liberation in Goa were the *Camara Municipals*, introduced by the Portuguese, having their jurisdiction over both urban and rural areas of the entire taluka. They collected various taxes and received government grants, performed civil functions including the construction of buildings. Until a few years before liberation, these self-sustaining bodies were neither elective nor local. Their offices were reserved for ‘*Casados*.’

It was only in 1959 that *Juntas de Freguesias* (rural self government bodies) were established by the Portuguese through the *Portaria* (Notification) No.7575 of 23<sup>rd</sup> July, 1959, assigning them the responsibilities of repairs of village roads, drains, bridges, gutters, street lights, within their jurisdiction. This was the third self-governing unit that existed prior to the liberation of Goa. Thus prior to liberation, there were Panchayats in the villages but they were not codified and the people used to settle their grievances themselves rather than approaching the Government authorities. There used to be a *Regidor* (village headman) in each village who was entrusted with some of the functions which are now exercised by the Village Panchayats.

### **(2) Goa Daman & Diu Village Panchayat Regulation. 1962**

Goa along with Daman & Diu was liberated on 19.12.1961 from Portuguese rule. After liberation, the President of India promulgated the Goa Daman & Diu Village Panchayat Regulation, 1962 under Article-240 of the Constitution of India. The said Regulation provided for setting up of a single tier Panchayati Raj system in the Union Territory of Goa Daman & Diu. Thus, for the first time, the Panchayati Raj Institutions (PRIs) came into existence in the Union Territory of Goa, Daman & Diu in the year 1962. As per the said Regulation, one seat was reserved for woman in

every Panchayat. There were three types of Panchayats having 5, 7 and 9 members depending upon the population. The term of the Panchayat was for four years. The Panchayati Raj (PR) system was functioning very well since its inception and elections were held regularly in Goa. However, in most of the States in India, the PR system which started in 1959, had totally collapsed. There was no uniformity in the PR system throughout India. Elections to PRIs were not held regularly and in some States elections were not held for more than 30 years. Therefore, steps were taken to amend the Constitution and for that purpose the Constitutional (73<sup>rd</sup> Amendment) Act was passed on 20<sup>th</sup> April, 1993, to lay a strong foundation for 'Democratic Decentralization' and pave the way for activating the planning process from the grassroots; a concept which has eluded the people ever since the beginning of the era of planned development. (See Salient Features of Constitutional 73<sup>rd</sup> Amendment Act, 1993 at **Annexure-1**).

**(3) The Goa Panchayat Raj Ordinance 1994**

In terms of Article 243-N of the Constitution of India, every State was required to amend the laws relating to PRIs within one year of the 73<sup>rd</sup> Constitutional Amendment. Therefore, to comply with the said mandatory provision of the Constitution the State of Goa promulgated an Ordinance namely, The Goa Panchayat Raj Ordinance, 1994 on 20.04.1994. The Ordinance was converted into Bill, namely the Goa Panchayat Raj Bill, 1994 and the same was introduced in the Goa Legislative Assembly on 25.05.1994.

**(4) The Goa Panchayat Raj Act, 1994**

The Goa Panchayat Raj Act, 1994 was assented to by the Governor of Goa on 09.07.1994. The Act repealed the Ordinance of 1994 as well as the Regulation of 1962. Some of the provisions of the Act were brought into force w.e.f. 20.08.1994. However, Section 245 was given retrospective effect i.e. from 20.04.1994. The remaining provisions of the Act were brought into force w.e.f. 26.10.1995. Thus, the entire Act came into force from 26.10.1995.



### 3. ORGANIZATIONAL STRUCTURE

The State Panchayati Raj Department is headed by the **Minister for Panchayati Raj**. The Administrative Head of the Panchayat Department is the **Secretary (Panchayats)**. The **Director of Panchayats** is the Head of the Department and is also the ex-officio Joint Secretary to the Government of Goa. The Director of Panchayats is assisted by two **Additional Director of Panchayats**. Prior to enactment of the Goa Panchayat Raj Act, 1994, the control and supervision over the PRIs in the State of Goa was with the District Collectors. By virtue of the present Act, a separate Directorate of Panchayats has been set up and all the powers in respect of the Panchayati Raj, which were earlier exercised by the Collector, have now been assigned to the Director. The **Director of Panchayats** exercises full control and supervision over the Panchayats through the **Deputy Director of Panchayats** and the **Block Development Officers**. There are two Deputy Directors of Panchayats, one for the North Goa District and the other for South Goa District. The Block Development Officers exercise jurisdiction over their respective blocks with their offices situated at the Taluka headquarters. The North Goa District comprises of 6 Blocks and the South Goa District comprises of 5 Blocks. Each Block is headed by the Block Development Officer who is assisted by Extension Officers, and other administrative staff.



### 4. GRAM SABHA

1) **Constitution of Gram Sabha:**

Through the 73<sup>rd</sup> 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 26<sup>th</sup> January, 15<sup>th</sup> August, 2<sup>nd</sup> October, and 19<sup>th</sup> 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 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 two 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.

## **5. 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 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.



**5. VILLAGE PANCHAYATS**

**(1) Constitution of Village Panchayats**

A Village Panchayat shall consist of such number of members as the Government, may, by order determine, so far as may be in accordance with the following table:

**TABLE**

	<b>For Panchayats with a population of</b>	<b>No. of members</b>	<b>Classification</b>
1	1500 to 2000	5	D
2	2001 to 5000	7	C
3	5001 to 8000	9	B
4	More than 8000	11	A

**Details of Classification of Village Panchayats in Goa**

Name of Block	A	B	C	D	Total No. of Village Panchayats	Total No. of Wards
<b>NORTH GOA</b>						
SATTARI	-	3	9	-	12	90
BICHOLIM	2	3	8	4	17	125
BARDEZ	7	9	16	1	33	275
PERNEM	1	3	11	5	20	140
TISWADI	6	3	9	1	19	161
PONDA	5	6	7	1	19	163
<b>TOTAL...</b>	<b>21</b>	<b>27</b>	<b>60</b>	<b>12</b>	<b>120</b>	<b>954</b>
<b>SOUTH GOA</b>						
MORMUGAO	3	3	2	1	9	79
SALCETE	8	4	15	3	30	244
QUEPEM	-	2	9	-	11	81
SANGUEM	-	5	7	-	12	94
CANACONA	-	4	3	-	7	57
<b>TOTAL...</b>	<b>11</b>	<b>18</b>	<b>36</b>	<b>4</b>	<b>69</b>	<b>555</b>
<b>GRAND TOTAL....</b>	<b>32</b>	<b>45</b>	<b>96</b>	<b>16</b>	<b>189</b>	<b>1509</b>

**(2) Staff of the Village Panchayats**

Every Panchayat is provided with a full time Village Panchayat Secretary and a Gram Sevak (for a group of panchayats) whose salaries and allowances are paid by the Government. The Panchayats are also entitled to appoint their own staff like clerks and peons in accordance with the Staffing Pattern prescribed by the Government.

The staffing pattern for the Panchayats according to their classification is as follows:

**Classification**

**Staff Strength**

**A** Class Panchayats

three clerks and one peon

**B** Class Panchayats

two clerks and one peon

**C and D** Class Panchayats

one clerk and one peon

In addition to the above staff the Panchayat may appoint:-

- i) One pound keeper in case of establishment of a cattle pound by the Panchayat.
- ii) One driver for the vehicle, if any vehicle is allotted to the Panchayat by the Government for collection of garbage in the Panchayat area.

- iii) One Librarian and one Library Attendant, in case of establishment of Village Library by the Panchayat.
- iv) If any vehicle allotted by the Government to a Panchayat for collection of garbage in its area is spared by that Panchayat to any other Village Panchayat/s for collection of garbage in their areas, in such case, the expenditure incurred on payment of wages to the driver of such vehicle shall be shared by all such Panchayats.
- v) A Panchayat, if it is financially capable, may with the approval of the Gram Sabha and the Director of Panchayats, appoint any person temporarily for a specific purpose.  
Provided that no such person shall be appointed unless he or she possesses the educational qualifications as prescribed for the post to which he or she will be appointed.

**(3). Meetings of the Panchayat:**

- i. A panchayat shall meet for transaction of business at least once in fifteen days at the office of the panchayat and at such time as the Sarpanch may determine.
- ii. The Sarpanch may, whenever he thinks fit, and shall, upon the written request of not less than 1/3<sup>rd</sup> of the total number of members and on a date within fifteen days from the receipt of such request, hold a special meeting.
- iii. The Sarpanch may call for an emergency meeting within 24 hours in public interest. (Section 64(2) of the Act).
- iv. The Secretary of the Panchayat shall send or cause to be sent to all members, within the prescribed time, intimation of the place, date and time of and the business to be transacted at such meeting.
- iv. Any member of the Village Panchayat who remains absent for more than three consecutive ordinary meetings of the Panchayat without the leave of the Panchayat or is absent from the State of Goa for more than four consecutive months can be disqualified by the Block Development Officer under section 12 of the Act.
- v. Except with the permission of the person presiding, no business which is not entered in the agenda shall be transacted at any meeting.
- vi. Any proposal which a member desires to place before the meeting of the Panchayat may be sent to the Sarpanch. It shall be included in the business of the next meeting if it is received at least five clear days before the date of the meeting.
- vii. Save as otherwise provided under the Act, every meeting shall be presided by the Sarpanch or in his absence the Deputy Sarpanch and in the absence

of both, the members present shall choose one from amongst themselves to preside over the meeting.

- viii. All questions shall, unless otherwise specifically provided be decided by a majority of votes of the members present and voting.
- ix. Every meeting of the Panchayat shall be open to the public unless the Panchayat unanimously decides that an enquiry before it or deliberations of the panchayat shall be held *in camera*.
- x. No motion shall be discussed or noted in the Minutes Book unless and until it has been properly proposed and seconded. A motion by the person presiding need not be seconded.
- xi. 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 (iv) Marathi. The proceedings shall be signed by the person presiding at the meeting and shall be read out at the next meeting of the Panchayat for confirmation.

(4). **Funds of the Panchayat**

For every Panchayat there is a fund called "Panchayat Fund". The following shall form part of or be paid into the Panchayat fund:-

- (a) The amount which may be granted or passed on the Panchayat by the Government or by the Zilla Panchayat;
- (b) The proceeds of any tax, rate and fee imposed by the Panchayat;
- (c) All sums received by the Panchayat by way of loans or contributions from the Government or any other authority or person by way of gift;
- (d) The rent or other income from, or sale proceeds of any immovable or movable property owned by or vested in the Panchayat;
- (e) All other sums received from any source whatsoever.

The amounts at the credit of the Panchayat Fund are to be kept in any Scheduled Bank or a Co-operative Bank situated in the Panchayat area or in the neighbouring Panchayat area.

Every Panchayat is authorized to levy the following types of taxes and fees at such rates as prescribed by the Panchayat.



### **TAXES**

- (a) tax on buildings;
- (b) tax on vehicles other than motor vehicles;
- (c) tax on entertainment other than cinematograph shows;
- (d) tax on advertisement and hoardings;
- (e) tax on lands not subject to agricultural assessment;
- (f) tax on entertainment;
- (g) lighting tax;
- (h) drainage/garbage tax;
- (i) tax on professional trades, calling and employment.
- (j) octroi on goods other than petroleum products.

### **FEES**

- (a) pilgrim fee on persons attending the jatras, festivals, etc;
- (b) market fee on persons who expose their goods for sale;
- (c) registration of cattle brought for sale;
- (d) buses and taxis and auto-stands;
- (e) grazing cattle in the grazing lands;
- (f) sale of goods in melas fairs and festivals;
- (g) extraction of sand and laterite stones;
- (h) issue and renewal of construction permissions;
- (j) issue of various certificates.
- (k) registration of Births and Deaths.
- (l) issue of certified copies.
- (m) impounding of cattle

Every Panchayat while deciding to levy a tax or fee shall observe the procedure prescribed under the Goa Panchayat Raj (Imposition of taxes, fees and other dues) Rules, 1998. The maximum rate of tax and fees that can be imposed by the Panchayats is specified in Schedule III of the Act and in the Schedules listed in the above said Rules.

### **House Tax:**

Every occupier has to pay House Tax to the Panchayat as per the assessment made by the Panchayat. Rates of assessment tax on building used for residential purpose is shown at ***Annexure -7.***

### **Appeal:**

Any person aggrieved by the assessment, levy or imposition of any tax or fees by the Panchayats as provided under the Act may file an appeal under *section 155* of the Act to the concerned Block Development Officer.

**Exemptions:-** The following buildings are exempted from levy of tax.

- (a) building belonging to a local authority and used or intended to be used solely for a public purpose and not used for purposes of profit;
- (b) buildings, belonging to the Government/Central Government;
- (c) buildings used solely for religious, educational or charitable purpose, provided that the buildings belonging to religious, educational or charitable institutions shall be liable to pay tax wherever such buildings are used for the purpose other than religious, educational or charitable, as the case may be;
- (d) “residential building” belonging to the freedom fighters which are exclusively used for residential purpose by freedom fighters and their family members for themselves;

**(5) Standing Committees:**

- (a) Every Panchayat may constitute the following committees by election:
  - i. **Production Committee:** for performing functions relating to agricultural production, animal husbandry, rural industries and poverty alleviation programmes;
  - ii. **Social Justice Committee:** for performing functions relating to:
    - (a) promotion of educational, economic, social, cultural and other interests of SCs , STs and OBCs.
    - (b) Protection of such castes and classes from social injustice and any form of exploitation.
    - (c) Welfare of women and children.
  - iii. **Amenities Committee:** to perform functions in respect of education, public health, public works and other functions of the Panchayat.
- (b) Each committee shall consist of not less than three and not more than five members including the Chairman and Vice-Chairman. The Sarpanch shall be the ex-officio member and Chairman of Production Committee and Amenities Committee. The Deputy Sarpanch shall be the ex-officio member and Chairman of the Social Justice Committee. Provided that the Social Justice Committee shall consist of at least one member who is a woman and one member belonging to the Scheduled castes or scheduled tribes.
- (c) The Standing Committees shall perform functions referred to above to the extent the powers are delegated to them by the panchayat.

**(6) Functions, Powers & Duties of the Village Panchayats:**

**1. Functions**

- i. Subject to such conditions as may be specified by the government from time to time the Panchayat shall perform the functions specified in Schedule –I of the G.P. Raj Act, 1994.
- ii. The Panchayat may also make provision for carrying out within the panchayat area any other work or measure which is likely to promote the health, safety, education, comfort convenience or special or economic well being of the inhabitants of the Panchayat area.
- iii. The Panchayat may by resolution passed at its meeting and supported by two-thirds of its total members and with the prior approval of the Director,
  - (a) make provision for or make contribution towards any exhibition, conference or seminar without or outside the panchayat areas but within the District; or
  - (b) make contribution to any medical, educational or charitable or any institutions of public utility within the panchayat area which are registered under the Societies Registration Act, 1860 or under any other law for the time being in force.

**2. Powers & Duties**

Panchayats are empowered to do all acts necessary for or incidental to the carrying of the functions entrusted assigned or delegated to it and in particular and without prejudice to the foregoing powers to exercise all powers specified under the Goa Panchayat Raj Act, 1994.

**(a) Action against Illegal Constructions:**

The Village Panchayats are empowered to take action for removal or demolition of any construction which is erected without the written permission of the Panchayat under *section 66 (3) and 66(4)* of The Goa Panchayat Raj Act, 1994. Any person can approach the Village Panchayat for initiating action against the illegal construction with a written complaint containing the following details:

- 1) Name and address of the person involved in illegal constructions.
- 2) Survey Number, Ward Number and location where the construction is undertaken.
- 3) Name of the Village.

Where the Panchayat fails to initiate any action, the complainant can approach the Block Development Officer for stoppage of the work and issue of directions to the panchayat for taking action against the illegal construction. If the Panchayat fails to take action in spite of the above, the person can approach the Deputy Director of Panchayats with his grievance, who shall assume the powers of the Panchayat under *section 66(5)* of the Act and take necessary action for demolition of the illegal structure.

**Appeal:**

Any person aggrieved by any order or direction or notice of the Panchayat or the Deputy Director of Panchayats, can prefer an appeal under *section 66(7)* of the Act, before the Director of Panchayats within a period of 30 days from the date of such decision, direction or order.

**(b) Action on Illegal encroachments and obstruction upon public streets and open sites:**

Any person responsible for any unauthorized construction, obstruction, projection or encroachment, or deposits any box, bale, package or merchandise or any other thing in any public place, street or open sites, within the limits of the Panchayat area shall on conviction under *section 73* of the Act, be punished with fine which may extend to Rs. 500/- and further fine which may extend to Rs. 10/- for every day on which such projection, obstruction, deposit, encroachments continues after the date of first conviction of such offence..

The Panchayat shall have the power to remove such objection, projection, deposit or encroachments, the expenses of which shall be paid by the person responsible for causing it and shall be recoverable as if it were a tax imposed under this Act.

So also, any person who unauthorizedly removes earth, sand other than sand used for domestic purposes by residents of the Panchayat area or other materials from or makes encroachment upon any open area not being a private property shall on conviction under *section 73(3)* of the Act be punished with a fine which may extend to Rs. 500/- and

- 1) in cases of encroachment with further fine which may extend to Rs. 10/- for every day on which the encroachment continues after the first date of conviction.
- 2) in the case of removal of earth or sand , twice the value of such sand, earth or other materials shall also be recoverable as fine.

(c) **Power of Panchayats as to Roads and Bridges:**

Section 65 of the Act provides that all village roads and bridges thereon, cart tracks, drain, well and other public places in the panchayat not being private property and not being under the control of Zilla Panchayat or Municipal Council or the Government shall vest in the Panchayat and the Panchayat may do all things necessary for their maintenance and repair thereof, and may,

- i) layout and make new roads
- ii) construct new bridges
- iii) widen open enlarge or otherwise improve any such roads or bridges
- iv) with prior permission of the Zilla Panchayat divert, discontinue or close any road or bridge; and
- vi) deepen or otherwise improve any water way

(d) **Power of Panchayats as to Sanitation, Conservancy and Drainage:**

The Panchayats are empowered under *section 77* of the Act to direct the owner or occupier of any building or land to take steps/action as may be necessary to improve the sanitary condition of any area within its jurisdiction within a reasonable period failing which the Panchayat may itself cause such work to be carried out and may recover the cost of such work or part thereof from the owner or occupier of the building or land.

(e) **Removal of structures, trees, etc: posing danger:**

If it appears at any time to the Panchayat that any building or part of it or any tree or branch of it is in a ruinous state or is likely to fall or is in any other way dangerous to the person occupying, resorting or passing by such building or tree, the Panchayat may by written notice under *section 76* of the Act and after giving the owner or occupier a reasonable opportunity of stating any objection, adducing evidence, if any and after being satisfied that the objection raised is invalid or insufficient require the owner or occupier of such building or tree as the case may be

- i) to pull down lop or cut down or
- ii) to secure or
- iii) to remove or
- iv) to repair

such building or part of it or the tree or branch of the tree, as the case may be and prevent all causes of danger therefrom. If it appears to the Panchayat that the danger is

imminent, it may before the notice period expires take such steps as may be required to arrest the danger and the expenses by the Panchayat in this behalf shall be recoverable from the owner as if it was a tax imposed under the Act.

**(f) Action against dangerous quarrying, using offensive substance, emission of smoke, etc.**

If in the opinion of Panchayat the working of any quarry or the removal of stone, earth or other material from the soil in any place is dangerous to residents or is likely to cause nuisance in the Panchayat area the Panchayat may by a written notice under *section 109* of the Act, require the owner, or occupier of such quarry or place to discontinue the working of such quarry.

However if the quarry or place is under the control of Government or if the quarrying is carried out by or on behalf of the Government then the Panchayat shall not take any action unless and until the Director of Mines and Geology or the person authorized by him in this behalf, has consented to do such an act.

**(g) Impounding of stray cattle.**

- i) Panchayats are required to establish cattle pounds and appoint pound keepers as per *section 112-A* of the Act.
- ii) The Panchayat shall penalize any person allowing his cattle to stray in any street or trespass in any private or public property with fine for the first offence which may extend to Rs. 200/- and for the second or subsequent offence with a fine which may extend to Rs. 500/-
- iii) The Panchayat shall impound cattle found straying in the streets or in any public or private property within the limits of the Panchayat. Any person forcibly opposing such seizure of cattle liable to be seized under the Act or rescues the same after the seizure shall upon conviction be punished with imprisonment for a term not exceeding six months or with a fine of Rs. 1000/- or with both.
- iv) Seized cattle shall be delivered by the Panchayat to the claimant or owner after payment of the pound fees and other expenses chargeable in respect of such seizure
- v) If within seven days after the impounding of any cattle no person claiming to be owner of such cattle offers to pay the pound fees and other expenses chargeable

the Panchayat shall sell the cattle by auction in the prescribed manner and recover the fees chargeable.

- vi) Any complaint of illegal seizure or detention of such cattle shall be made to the Deputy Director of Panchayats of the District within seven days from the date of seizure.

**(7) Services Available at the Panchayat:**

**A. Licenses / Permissions issued by the Village Panchayat**

**1) Grant of License for Construction/ Reconstruction of any structure:**

Any person intending to erect any building or alter or add to any existing building or reconstruct any building shall make a written application to the Panchayat under section 66 of the Act. The permission may be granted by the Panchayat subject to such rules as may be prescribed and on payment of the prescribed fees.

In order to simplify the procedure for grant of permission for construction of buildings, Government has issued instructions vide Order No. **30/3/DP-99 and Circular dated 7.9.2008. ( See Annexure - 4)**

In case any person does not receive any communication from the Panchayat within 30 days from the date of presenting of application, the aggrieved person can prefer an appeal Under *section 66(2)* of the Act before the Dy. Director of Panchayats of the respective district within 30 days. The Dy. Director of Panchayats shall dispose of the said appeal within 30 days from the date of filing of the appeal, failing which the permission shall be deemed to have been granted and the applicant may proceed to execute the work, but not so as to contravene any of the provisions of the Act or any rules or bye-laws made under the Act.

**a) Appeal:**

- (1) In case the Panchayat rejects or refuses to grant permission or the Panchayat grants the permission contrary to the provisions of the Act, rules, or bye-laws, an appeal can be filed before the Director of Panchayats under *section 66(7)* within 30 days from the order of the Panchayat.

(2) Any person aggrieved by the decision of the Dy. Director of Panchayats can also prefer an appeal before the Director of Panchayats under *section 66(7)* of the Act, within 30 days from the date of passing of the order by the Dy. Director of Panchayats.

**b) Permission fees:-** The fees payable towards issue of license is as follows:-

- i) Where the cost of the construction involved is up to Rs. 10000/- @ 1%.
- ii) Where the cost of construction exceeds Rs. 10000/- @ ½% of the estimated cost.

**c) Penalty:-** The Panchayat can regularize the construction after complying with all the required formalities and by imposing a fine between 1 & ½ times and 2 times the permission fees.

**d) Validity of permission: -** The permission issued by the Panchayat is valid for a period of 3 years which can be renewed thereafter.

**e) Intimation of stages of constructions: -** The licensee has to give intimation to the Panchayat of the work undertaken at the following stages.

- i) Upon commencement of the work;
- ii) Upon completion up to the plinth level and before erection of the foundation wall.
- iii) Upon total completion of the work authorized by the building permit and before occupancy.

## **2) Permission for Repairs of House/Structure:**

- i) A panchayat may grant permission for the repairs of a house/structure without the approval of Town & Country Planning Department within the existing plinth area. However the Panchayat should satisfy itself that the applicant is the owner of the house and has furnished all the other required documents before grant of such permission.
- ii) In order to keep an effective control and avoid any misuse of such repairs license granted by the Panchayat, formats for granting such a license, Inspection Report and the Application form for issue of repairs permission have been prescribed by this Department vide Circular No.15/77/DP/CIR/200/6983 dated 6.9.2002. (**See Annexure- 5**).
- iii) The Panchayat shall ensure that the repairs permission is issued only to the existing houses which were constructed after obtaining valid licenses or the house is recorded in the House Tax Register for the last more than five years.



iv) The Panchayat shall compulsorily obtain and retain in the file of the concerned party, the details of repairs, the Inspection Report and the copy of the permission granted in the prescribed formats.

**3) License for Hotels/ Shops/ Restaurant/ Eating House/ Coffee House/ Sweet Meat Shop/ Bakery/ Boarding etc.**

A renewable license for hotels/shops/restaurants/ eating house/ Coffee house/ sweet meat shop/ bakery/boarding, etc. is issued by the Panchayat under *section 70* of The Goa Panchayat Raj Act,1994. A person requiring such a license should apply to the Sarpanch. After carrying out necessary inquiry, the matter is placed before the Panchayat body which through its resolution decides on the issue of such permission. The Secretary shall thereafter implement the resolution of the Panchayat.

**4) Permission for construction of factories/ Installation of Machinery.**

A renewable permission for construction or establishment of any factory, workshop or workplace or for installation of machinery or manufacturing plant is issued by the Panchayat under *section 68* of The Goa Panchayat Raj Act, 1994. A person requiring such permission should apply to the Sarpanch. After carrying out necessary inquiry, and after verifying all the relevant documents, the matter is placed before the Panchayat Body which through its resolution decides on the issue of such permission. The Secretary shall thereafter implement the resolution of the Panchayat.

**5) License for using any place for Trade, Business or Industry.**

A renewable license for construction or establishment of any factory, workshop or workplace or for installation of machinery or manufacturing plant is issued by the Panchayat under *section 69* of The Goa Panchayat Raj Act, 1994. A person requiring such a License should apply to the Sarpanch. After carrying out necessary inquiry, and after verifying all the relevant documents, the matter is placed before the Panchayat Body which through its resolution decides on the issue of such license The Secretary shall thereafter implement the resolution of the Panchayat.

**6) License for places for disposal of Dead Bodies:**

A renewable license for disposal of dead bodies is issued by the Panchayat under *section 95* of the Goa Panchayat Raj Act, 1994. A person or community or organization requiring such a license should apply to the Sarpanch. The application in such a case should indicate all

details such as the plan showing the locality, boundary and extent of the area, the name of the owner, locality or person interested, the system of management and other details as may be called for by the Panchayat. After carrying out necessary inquiry and after verifying all the relevant documents, the matter is placed before the Panchayat Body which through its resolution decides on the issue of such license. The Secretary shall thereafter implement the resolution of the Panchayat. Registration of such burial or burning grounds is also required to be done under *section 94* of The Goa Panchayat Raj Act, 1994.

## **7) Licensing of Shops:**

A renewable license is issued by the Panchayat for permanent and temporary shops under *section 71* of The Goa Panchayat Raj Act, 1994. Any person requiring such a license should apply to the Sarpanch. After carrying out necessary inquiry, and after verifying all the ownership documents, the matter is placed before the Panchayat body which through its resolution decides on the issue of such permission. The Secretary shall thereafter implement the resolution of the Panchayat.

### **B. Certificates issued by the Village Panchayat**

#### **1) Income Certificate:-**

A person desiring to get an Income Certificate should apply to Sarpanch/Secretary along with an affidavit sworn before a Magistrate/Notary, xerox copy of Ration Card and other relevant income documents. After verifying the documents and conducting a local inquiry in to the facts and merits of the case, the Village Panchayat Secretary shall issue the Income Certificate, duly attested by the Sarpanch and countersigned by the concerned Block Development Officer.

#### **2) Birth / Death Certificate**

The Village Panchayat Secretary also functions as Registrar of Births and Deaths under the Registration of Births and Deaths Act, 1969. The first Birth or Death registration certificates are issued by the Secretary immediately after the registration has taken place. An abstract of Births and Deaths Registrars is also available at the office of the V.P. Secretary which may be obtained from him on payment of prescribed fees.

### **3) Occupancy Certificate:**

As soon as the building is ready for occupation, the licensee should obtain first, the certificate from the Project Engineer that the building is complete in all respects in accordance with the approved plans and that the said building is ready for occupation. The licensee, thereafter, shall approach the Panchayat for grant of occupancy certificate which will be referred by the village panchayat to the Technical Officer for his opinion. A copy of the file shall also be forwarded to the Town and Country Planning Department for their approval. Once the Technical Officer and the Town Planner grants clearance for issue of occupancy certificate, the case shall be referred to the Block Development Officer for payment of the infrastructure tax if the built up area exceeds 100 sq. mts. The rate of tax is presently charged @ Rs. 40/- per sq. m. on the floor area as per the rates notified under the provisions of Goa Tax on Infrastructure Act, 1997. After payment of the infrastructure tax, the Panchayat Secretary shall issue the Occupancy Certificate pursuant to the resolution of the Panchayat.

**Exemptions:** Buildings constructed for educational institutions, industrial enterprises or by any other non-profitable organizations as may be notified by the Government in public interest are exempted from payment of Infrastructure Tax..

### **4) No Dues Certificate**

No dues certificate can be availed from the Secretary of the Panchayat who issues the same after verifying all records in respect of payment of taxes and fees due to the Panchayat.

### **5) Non-Availability of Birth or Death Certificate**

Upon request from any person, a search is made into the records of Birth or Death Registers for the period of years as requested, to check whether a birth or death is registered or not. In cases where no record is available the Panchayat Secretary issues a Non- Availability Certificate of his search over such a period. The applicant in his application is required to submit the details like name for which the search is called for and the approximate period during which the birth, death or still birth has occurred. The applicant is also required to submit details about the place of birth by submitting documents like xerox copy of ration card, School Leaving Certificate, Polio Card, etc.

**At the request of the party, the Sarpanch may on the basis of local inquiry issue the following Certificates:**

**6) Residence Certificate**

A person desiring to obtain a Residence Certificate should apply to Sarpanch along with xerox copies of the Ration Card and other relevant documents like Birth Certificate, documents showing place of birth, EPIC Card, etc. After verifying the details and conducting a local inquiry in to the facts and merits of the case, the Sarpanch issues the Residence Certificate.

**7) Character Certificate**

A person desiring to obtain a Character Certificate should apply to Sarpanch along with xerox copies of Ration Card and other relevant documents like Birth Certificate, documents showing place of birth, school leaving certificate, Bonafide Certificate from the school, etc. After verifying the details and conducting a local inquiry in to the facts and merits of the case, the Sarpanch issues the Character Certificate.

**8) Dependency Certificate**

A person desiring to obtain a Dependency Certificate should apply to Sarpanch along with Xerox copy of ration Card and complete information about the family. After verifying the details and conducting a local inquiry into the facts and merits of the case, the Sarpanch issues the Dependency certificate.

**9) Poverty Certificate**

A person desiring to obtain a Poverty Certificate should apply to Sarpanch along with xerox copy of ration Card and complete information about his income sources. After verifying the details and conducting a local inquiry into the facts and merits of the case, the Sarpanch issues the Poverty Certificate.

**10) Divergence Certificate**

A person who is known by two or more names may apply to the Sarpanch who shall call for a local inquiry into the facts and merits of the case, thereby verifying the documents in support of the applicants claim, and thereafter issue the Divergence Certificate.

### **11) Bonafide Fisherman Certificate**

A person desiring to obtain a Bonafide Fisherman Certificate should apply to the Sarpanch with a xerox copy of Ration Card and complete information about his fishing activity alongwith the Samaj Certificate issued by the competent authorities. After verifying the details and conducting a local inquiry into the facts and the merits of the case, the Sarpanch issues the Bonafide Fisherman certificate.

### **12) Occupation Certificate**

A person desiring to obtain an Occupation Certificate should apply to Sarpanch along with a xerox copy of the Ration Card and complete information about his occupation or profession. After verifying the details and conducting a local inquiry in to the facts and merits of the case , the Sarpanch issues the occupation certificate.

### **C. No Objection Certificates (NOCs) issued by the Village Panchayat**

Any person desirous of obtaining the following NOCs may apply to the concerned Village Panchayat. The required NOCs are issued by the Panchayat after taking into consideration objections, if any, from the villagers and verifying the ownership/title documents in respect of the property. All NOCs issued are duly registered in the Register maintained for the purpose and are issued only after passing of a resolution to that effect by the Panchayat

- 1) NOC for Water Connection
- 2) NOC for Electricity Connection
- 3) NOC for House Repair
- 4) NOC for Road Cutting
- 5) NOC for running General Stores
- 6) NOC for running Bar/ Liquor shop
- 7) NOC for Establishment

### **D. Other Services**

#### **1) Correction in Births and Deaths Records.**

A person desirous of making a correction into the records of Birth or Death may apply to the Secretary, who after verifying the correction requested for and after being satisfied to the veracity of such request may order for a correction under section 15 of Registration of Births and Deaths Act, 1969 strictly in accordance to the circular issued in this regard .

### **(8) Time-Lines for various services:-**

This Department has prescribed maximum time limits for providing various services offered by the Village Panchayats. The same may be seen at **Annexure-6**.



## **6. BLOCK DEVELOPMENT OFFICER**

### **1) Introduction:**

The Office of the Block Development Officer is located at every Taluka/ Block in the State. The main function of the Block Development Officer is to monitor and supervise the administration of the Village Panchayats within the Block and to assist the panchayats by providing the required technical guidance and support in performing their functions, responsibilities and duties assigned to them. There are all eleven Block Development Offices in the State of Goa with the respective Block Development Officer (BDO) functioning as the Head of office.

### **2) Functions, Powers & Duties of the Block Development Officer:**

The general functions of the Block Development Officer are summarized below:

- 1) to function as a co-ordinating agency at the Block level.
- 2) to formulate an integral working plan for the block.
- 3) to guide and supervise the work of the village panchayats.
- 4) to ensure the proper utilization of grants and funds released to various village panchayats.
- 5) to ensure compliance by the village panchayats of Government orders and instructions issued from time to time.
- 6) to co-ordinate with other line departments for implementation of their programmes and schemes at the Block level
- 7) to take timely action for preparation of schemes under the working plan along with the financial estimates and ensuring sanction by the concerned authorities in time.
- 8) to organize and strengthen people's organizations at village level like panchayats, co-operative societies, youth clubs, Mahila Mandals, etc., by taking initiatives for their development, encouraging self help and building their confidence for sustained development.
- 9) to perform all statutory functions assigned under The Goa Panchayat Raj Act, 1994 and Rules made there under.

### **3) Services available at the Block Development Office:**

- 1) Application forms of various Government schemes implemented through the village panchayats and the BDOs.
- 2) Processing of applications under various schemes.
- 3) Collection of Infrastructure tax.

- 4) Permission for delayed registration beyond 30 days of birth or death and within 1 year of its occurrence.
- 5) Registration of children born to Indian families abroad.
- 6) Action against illegal constructions.

#### **4) Appellate Jurisdiction of the BDO:**

##### **1) Appeals under section 155 of The Goa Panchayat Raj Act, 1994**

Any person aggrieved by the assessment or imposition of any taxes, fees, etc; by the Village Panchayat can appeal to the Block Development Officer under *section 155* whose decision in this regards shall be final.

##### **2) Appeals under section 201/A of the Goa Panchayat Raj Act, 1994**

Where no appeal has been specifically provided in the Act on any miscellaneous matters which is dealt by the Panchayat, Sarpanch or the Secretary, an appeal *under section 201/A* of the Act shall lie before the Block Development Officer whose decision in this regard shall be final. A revision shall lie to the Deputy Director of Panchayats on the order passed by the BDO.

##### **3) Decisions under sections 12(1) b & 12(1) c of the Goa Panchayat Raj Act, 1994**

If a question arises as to whether a person has or is become subject to disqualification under section 12 (1) clause b & c of the Goa Panchayat Raj Act, 1994, the BDO shall either *suo motu* or on a report made thereto decide the matter after giving an opportunity to the concerned person of being heard.

##### **4) Appeals under rule 13 of The Goa Panchayat Raj (Election of members of Standing Committee) Rules, 1999.**

Disputes regarding election of the members to the standing committees of the Panchayat shall be decided by the Block Development Officer as per the rules prescribed in these regards. Any aggrieved person may file an election petition, duly verified by the petitioner within a period of 15 days from the date of declaration of results. An order passed by the BDO under this rule shall be final and conclusive.

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## 7. DEPUTY DIRECTOR OF PANCHAYATS

The office of Deputy Director of Panchayats is located at the District headquarters i.e at North Goa District and South Goa District. The Deputy Directors oversee and facilitate the functioning of the Block Development Officers and the Village Panchayats within their jurisdiction.

### 1) **Functions. Powers & Duties of the Deputy Director of Panchayats:**

The general functions and duties of Deputy Director of Panchayats is summarized as follows:

- 1) To function as a coordinating agency at the District Level thereby overseeing the administration of the Panchayats within the District.
- 2) To monitor and supervise the functioning of all subordinate officers/offices like the BDOs, V.P. Secretaries, Gram Sevaks and Village Panchayats in the District.
- 3) To function as an Appellate Authority in various matters specified under the Act.
- 4) To keep a check on illegal constructions and resolve disputes regarding the same under *section 66 (5)* of the Goa Panchayat Raj Act, 1994.

### 2) **Appellate Jurisdiction of the Dy. Director of Panchayats:**

#### (i) **Appeal under section 66 (2)**

If a Panchayat fails to convey any decision on the application filed by the applicant seeking permission for construction of house, the applicant may appeal to the Deputy Director of Panchayats, who shall dispose of the matter within 30 days of filing of such application. If the Deputy Director fails to dispose the matter within 30 days, the permission shall be deemed to have been granted and the applicant can proceed to execute the work. However the construction should not be carried out in contravention of any of the provisions of the Act and Rules and bye-laws made under the Goa Panchayat Raj Act, 1994 or any other law for the time being in force.

#### (ii) **Appeals under section 66 (5)**

In any case, where the panchayat fails to demolish the building which is erected, added or reconstructed, without the permission of the Panchayat or contrary to Rules made under the Act or any condition imposed in the permission, within a month from the date of knowledge, the Deputy Director of Panchayats shall assume the powers of the Panchayat under *sub-sections 3, 4 and 5* and take steps for demolition of such building.



**3) Permissions for the construction of Factories and Installation of Machinery under section 68**

The Deputy Director of Panchayats has similar powers under *section 68* as under *section 66 (2)* and *section 66 (5)* of the Act while dealing with cases related to issue of construction permissions to factories or installation of any machinery or its demolition.

**4) Regulation of Huts under section 100**

The Deputy Director of Panchayats has similar powers under *section 100* as under *section 66 (2)* and *section 66 (5)* of the Act while dealing with cases related to issue of construction permissions to huts or their demolition.

**5) Complaint of illegal seizure or detention under section 112 (F)**

A person whose cattle have been seized or detained by the Panchayat or the BDO as the case may be, in contravention to the Act, may at any time within seven days from the date of seizure, make a complaint to the Deputy Director of Panchayats

**6) Revision of orders passed by the BDO under Section 201-A**

A revision of any order passed by the Block Development Officers under *section 201- A* shall lie to the respective Deputy Director of Panchayats within a period of 30 days from the passing of such order.

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**8. ZILLA PANCHAYATS**

There are two Zilla Panchayats in the State of Goa, one each at the District level. The North Goa Zilla Panchayat comprises of 30 elected members and the South Goa Zilla Panchayat comprises of 20 elected members.

**1). Powers, Functions & Duties of the Zilla Panchayats:**

The functions assigned to the Zilla Panchayats are specified in the Schedule- II appended to the Goa Panchayat Raj Act, 1994

### **General Powers of Zilla Panchayat:**

The Zilla Panchayat is empowered to do all acts necessary for or incidental to the carrying out all its functions as are assigned under the Goa Panchayat Raj Act, 1994.

The Zilla Panchayat may therefore:

- 1) Incur expenditure on education or medical relief outside its jurisdiction.
- 2) provide 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.
- 3) contribute to associations of all India, State or Interstate level, concerned with the promotions of local Government and to exhibitions, seminars and conferences within the district related to the activities of the panchayat and the Zilla Panchayat.
- 4) render 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.

### **2) Meetings of the Zilla Panchayat:**

- i. A Zilla Panchayat shall hold a meeting for transaction of business (ordinary meeting) at least once in two months. The meeting shall generally be held at the Zilla Panchayat office.
- ii. The Adhyaksha may, whenever he/she thinks fit, and shall, upon the written request of not less than 1/3<sup>rd</sup> of the total members and on a date within 15 days from the receipt of such request, call a special meeting. If the Adhyaksha fails to call a special meeting, the Upadhyaksha or 1/3<sup>rd</sup> of the total number of members of the Zilla Panchayat may call the special meeting.
- iii. The Chief Executive Officer of the Zilla Panchayat shall take such action as necessary to give notice to the members and to convene the meetings as and when required.
- iv. Ten clear days' notice for an ordinary meeting and seven clear days' notice for a special meeting is required to be given.
- v. No meeting shall be held on any day observed as public holidays.
- vi. The notice of the meeting shall specify the place and the time at which such meeting is to be held and the business to be transacted thereat.
- vii. Every meeting shall be open to public unless the presiding authority considers that any enquiry or deliberation pending before the Zilla Panchayat should be held *in camera*.
- viii. Every meeting shall be presided over by the Adhyaksha or if he/she is absent, by the Upadhyaksha and if both are absent the members present shall elect one from amongst them to preside.
- ix. All questions shall unless otherwise specially provided, be decided by a majority of votes of the members present and voting. The Presiding member unless he/she refrains from voting shall give vote before declaring the number of votes for and against a question and in case of equality of votes, he/she may give his/her casting vote.
- x. No proposition shall be discussed at any ordinary meeting unless it has been entered in the notice convening such meeting or in the case of a special meeting, in the written request for such meeting.

- xi. The proceedings of every meeting shall be recorded in the minute's book immediately after the deliberations of the meeting and shall, after being read over by the Adhyaksha be signed by him/her.
- xii. The action taken on the decisions of the Zilla Panchayat shall be reported at the next meeting of the Zilla Panchayat.
- xiii. The minutes book shall at all reasonable times be open to inspection by any member of the Zilla Panchayat.

### **3) Zilla Panchayat Fund :**

The Zilla Panchayat Fund comprises of the following:

- 1) the amounts transferred to the Zilla Panchayat Fund by appropriation from and out of the Consolidated fund of the State.
- 2) all grants assignments, loans, and contributions made by the Government.
- 3) all fees and penalties paid to or levied by or on behalf of the Zilla Panchayat and all fines imposed under the Goa Panchayat Raj Act, 1994
- 4) all rents from lands or other properties of the Zilla Panchayat
- 5) all interests, profits and other moneys accruing by gifts, grants, assignments or transfers from private, individual or institutions.
- 6) all proceeds of land, securities and other properties sold by the Zilla Panchayat.
- 7) all sums received by or on behalf of the Zilla Panchayat by virtue of the Goa Panchayat Raj Act, 1994

### **4) Zilla Panchayat Standing Committees:**

The Zilla Panchayat shall constitute the following Standing Committees as mentioned under section 142 of the Goa Panchayat Raj Act, 1994.

- 1) General Standing Committee
- 2) Finance, Audit and Planning Committee
- 3) Social Justice Committee
- 4) Education and Health Committee
- 5) Agriculture and Industries Committee
- 6) Taluka Development Committee

### **5) Chief Executive Officer:**

For every Zilla Panchayat there is a Chief Executive Officer (CEO) not below the rank of the Collector of a District. The CEO exercises all powers as Head of the Department for the Zilla Panchayat and all powers conferred upon him under the Goa Panchayat Raj Act and any other law for the time being in force.

#### **i) Appeals to the CEO of Zilla Panchayat under section 115 of the Act:**

Any employee of the Panchayat aggrieved by the decision of the Secretary or the Panchayat in respect to withholding of his increments, reduction in rank, removal or

dismissal can appeal before the Chief Executive Officer of the Zilla Panchayat whose decision in his regard shall be final.

**ii) CEO's Powers as regards to the Village Panchayats under section 175 of the Act**

- 1) The CEO can call for Panchayat Proceedings/ extract/ any return or statement of account / report.
- 2) The CEO can direct Panchayat to take into consideration any objection
- 3) The CEO can order a duty to be performed by the Panchayat within a specified period failing which to appoint a person to do the duty and recover expenses from the Panchayat. Panchayat can appeal to Director within 30 days
- 4) The CEO can direct the Panchayat to levy a tax if the Panchayat has failed to do so.
- 5) The CEO can call a meet of the Panchayat or its committee if the same is not held

**iii) Powers under section 187 (8) of the Act.**

CEO may disallow any expenditure unauthorizedly incurred and surcharge the expenditure on the person who incurred the expenditure with 15 % interest, failing which the amount is to be recovered as arrears of Land revenue. Appeal in this case shall lie to the Director within 30 days of receipt of the copy of such a decision .



## **9. DIRECTORATE OF PANCHAYATS**

At the State Level the Directorate of Panchayats oversees the entire administration of the Village Panchayats, Block Development Offices, Offices of the Dy. Director of Panchayats and the Zilla Panchayats. In short, the Directorate of Panchayats is responsible for the effective implementation the Goa Panchayat Raj Act, 1994 and Rules made there under. The Director of Panchayats functions as the Head of the Department and ex-Officio Jt. Secretary to the Government of Goa and is assisted by the Additional Directors of Panchayats at the State level.

### **1). Powers Duties and functions of the Directorate of Panchayats**

#### **i. Power of Inspections & Supervision:**

The Director or any other Officer authorized by him in this behalf can inspect the records of Village Panchayats under *section 173* of the Goa Panchayati Raj Act, 1994.

**ii. Technical Supervision:**

The technical supervision of any Panchayat can be done by the Director of Panchayats along with an officer at the Divisional level under *section 174* of the Act.

**iii. Remedy for Redressal of Grievances:**

Any person may complain to the Director under *Section 176* of the Act, in case any Panchayat makes default in performing any duty imposed upon it, by or under this Act, or by or under any law for the time being in force.

**iv. Removal of Sarpanch / Deputy Sarpanch:**

Any Sarpanch or Deputy Sarpanch who is persistently remiss in the discharge of his duties or misconducts himself or misuses or abuses the powers or exercises the powers not expressly in him by or under the Act or Rules framed there under, such a Sarpanch or Deputy Sarpanch can be removed from the Office by the Director of Panchayats under *Section 50* of the Act. The Sarpanch or Deputy Sarpanch so removed can also be removed from the membership of the Panchayat for a period not exceeding five years.

**v. Removal of any member by Director:**

A member of the Panchayat can be removed from his office as a member by the Director of Panchayats under *section 210 (A)* of the Goa Panchayat Raj Act, 1994 for being persistently remiss in discharge of his duties, or if he acts detrimental to the interest of the Panchayat or misuses or abuses the powers or exercises the powers not expressly in him by or under the Act or Rules framed there under. The member so removed shall not be eligible for re-election for a period not exceeding five years as the Director may specify.

**v. Suspension of Execution of Unlawful Orders or Resolution of Panchayats:**

Any order or resolution passed by the Panchayat or Zilla Panchayat or any order of any authority or officer of the Panchayat or the Zilla Panchayat or the doing of anything which is about to be done by or on behalf of the Panchayat or the Zilla Panchayat which is unlawful, unjust or improper or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of peace, the execution thereof can be suspended by the Director by making an Order under *Section 178(1)* of the Act and such an Order passed by the Director is subject to confirmation, modification or decision by the Government under Sub-section (2) of *Section 178* of the Act.

## **2) Appellate Jurisdiction of the Director of Panchayats**

### **i. Appeal against the decision of the Gram Sabha:**

Any person aggrieved by the decision of the Gram Sabha can prefer an appeal to the Director under *section 6(5)* of the Act within a period of thirty days from the date of such decision and the Director's decision on such appeal shall be final.

### **ii. Appeal under Regulation of erection of buildings:**

An appeal shall lie to the Director under *section 66(7)* of the Act, within a period of thirty days from any order or direction or notice issued under any of the provisions of *section 66* of the Act which relates to issue of permission for construction of buildings and action against illegal constructions and such appeal shall be final.

### **iii. Appeal against refusal to grant permission for construction of Factories and the installation of machinery:**

Any person aggrieved by the refusal of the panchayat to grant permission under *section 68* of the Act, i.e. permission for the construction of factories and installation of machinery, may within thirty days of the date of communication of the order, appeal to the Director under *section 72(3)* of the Act and his decision on such appeal shall be final.

### **iv. Appeal against refusal to grant or renew license for using any place for trade notified as dangerous or offensive, licensing of hotels, restaurants, shops, etc:**

Any person aggrieved by the refusal of the panchayat to grant or renew a license or is aggrieved against the suspension or cancellation of a license issued under *section 69, 70 or 71* of the Act for any of the above purposes, may within thirty days of the date of communication of the order, appeal to the Director under *section 72(3)* of the Act and his decision on such appeal shall be final.

### **v. Appeal against the order or direction of the Deputy Director in respect of illegal seizure or detention of cattle:**

An appeal shall lie to the Director within a period of thirty days from any order or direction of the Deputy Director in respect of illegal seizure or detention of cattle under *sub-sections (2), (3) or (4) of section 112F* of the Act and the decision of the Director on such appeal shall be final.

**vi. Appeal against the order of the CEO directing the Panchayat to perform any duty:**

The Panchayat may appeal under section 175(2) of the Act, to the Director against any order passed by the CEO under section 175 (1) (c) of the Act directing the panchayat to perform a duty which the panchayat has failed to perform.

**vii. Appeals against order of the panchayat under section 76 (Removal of structures, trees, etc; which are in ruins or likely to fall), section 77 (Powers as to Sanitation, conservancy and drainage), section 84 (Powers for maintaining and protecting sources of water supply), section 104 (Right to carry drain through land or into drain belonging to other persons) and section 105 (Rights of owner of land through which drain is carried) of the Act:**

Any person aggrieved by original order of the panchayat passed under the above sections of the Act may, within such period as may be prescribed appeal to the Director.

**3) Schemes of Directorate of Panchayats**

**(1) Matching Grants to Village Panchayats:**

Matching Grants are released to the Village Panchayat corresponding to their tax collection. This is an unconditional grant which can be utilized by the Panchayat for any purpose. The grants are released as per the following pattern of assistance:-

- |  |  |
|--|--|
| (a) Panchayats with annual income up to Rs. 50,000/-                         | 200% of the taxes collected subject to a minimum of Rs. 20,000/-                   |
| (b) Panchayats with annual income above Rs. 50,000/- up to Rs. 1, 00,000/-   | Rs. 1, 00,000/- and 150% of the additional income from taxes above Rs. 50,000/-    |
| (c) Panchayats with annual income over Rs. 1, 00,000/- up to Rs. 2, 00,000/- | Rs. 1, 75,000/- and 100% of the additional income from taxes above Rs. 1, 00,000/- |
| (d) Panchayats with annual income over Rs. 2, 00,000/- up to Rs. 5, 00,000/- | Rs. 2, 75,000/- and 50% of the additional income from taxes above Rs. 2, 00,000/-  |
| (e) Panchayats with annual income is above Rs. 5,00,000/-                    | Rs. 4,25,000/- only.   |

If any Panchayat registers a fall in the income during the year as compared to the income of the previous year, the Government reserves the right to release matching grants to such Panchayats at 50% of the admissible amount.

## (2) GRANT-IN-AID

Government sanctions Grant-in-Aid to financially weaker Panchayats for undertaking developmental works in their areas . The pattern of assistance is as follows:-

<b>Panchayat having Annual income</b>	<b>Govt. Grants</b>	<b>Popular Contribution</b>
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(a) Up to Rs.5.00 lakhs	100% of Project cost	NIL
(b) Above Rs.5.00 lakhs up to Rs.7.00 lakhs	75% of Project cost	25%
(c) Above Rs.7.00 lakhs upto Rs.10.00 lakhs	50% of Project cost	50%
(d) Above Rs.10.00 lakhs	NIL	NIL

## (3) GRANTS TO WEAKER PANCHAYATS FOR STRENGTHENING THEIR ADMINISTRATION:-

From the year 2001-02, the Government has introduced a scheme of providing special grants to weaker Panchayats whose annual income is less than Rs.10.00 lakhs in order to provide them with sufficient funds for payment of salaries to their staff like L.D.Cs and peons as per the following pattern of assistance:-

<b>Classification of Panchayat</b>	<b>Annual Special Grants</b>
A	Rs.1, 40,000/-
B	Rs. 90,000/-
C	Rs. 90,000/-
D	Rs. 40,000/-

## (4) GRANTS IN LIEU OF OCTROI

From the year 2001-02, the State Government has abolished Octroi on Petroleum goods which was being collected by the Municipal Councils and the Village Panchayats and in lieu of Octroi, the Government has levied additional sales tax @ 2% on petroleum products which is passed on to the Municipalities and the Panchayats. Every year, Government releases these grants in three installments to the concerned Village Panchayats.



#### **(5) GRANTS TO ALL GOA PANCHAYAT PARISHAD AND MAHILA MANDALS**

The All Goa Panchayat Parishad was established in the year 1983 with its office at 115, Ramchandra Building, Mapusa. The Directorate releases an amount of Rs.10,000/- to the Parishad every year to undertake various activities.

Mahila Mandals have been established in the Villages and registered under the Registration of Societies Act, 1860. The Directorate of Panchayats sanctions unconditional grants to the Mahila Mandals in order to take up social activities and to create awareness among the rural women for participation in Panchayat Raj system. After registration of the new Mahila Mandals, they are eligible for a grant of Rs.1000/- for the first year and thereafter an amount of Rs.500/- is released every year to each Mahila Mandal as annual grant.

The All Goa Panchayat Parishad and the Mahila Mandals are required to submit Utilization Certificates for the grants released to them every year.

#### **(6) RURAL GARBAGE DISPOSAL SCHEME , 2005**

Under the above scheme the State Government provides funds to the Village Panchayats for acquisition of the land for garbage sites and for development of the garbage collection site and other facilities required for disposal of Garbage. Under the scheme the village panchayats are required to segregate the garbage at source into bio-degradable and non-biodegradable waste. The bio-degradable waste is to be vermi-composted through the process of vermiculture for which the panchayats are required to construct composting pits. The cost of collection, transportation, segregation, storage processing and disposal of Garbage is also borne by the Government to the extent of 98% and the balance 2% is to be borne by the Village Panchayat, for the first three years. On the expiry of this period, the entire cost is to be borne by the Village Panchayats. Detailed guidelines have been annexed to the scheme so as to assist the panchayats in disposal of the garbage in a hygienic and scientific manner.

#### **(7) ASSISTANCE TO THE PANCHAYATS FOR DISPOSAL OF PLASTIC GARBAGE:**

Under the **Goa Panchayat (Grant of Financial Assistance to the Village Panchayats to deal with Plastic Garbage Menace) Scheme, 2007**, financial assistance is given to the Village Panchayats which are affected by plastic garbage menace. The village panchayats can hire labourers @ a maximum of Rs. 150/- per labourer, for collection of the plastic garbage from the households on door-to-door basis or organize regular plastic garbage collection drives in their areas. Every such Village Panchayat which is affected

by plastic garbage menace is entitled for Rs.25,000/- per annum for collection and disposal of the plastic waste. In case a Compactor is provided to the Village Panchayats than such a Panchayat is entitled to Rs.50,000/- per annum which is also to be utilized for the purpose of fuel for the Compactor.

**(8) REMUNERATIVE SCHEME**

In order to enable the Panchayats to generate additional revenue, the Government grants loan to the Panchayats to the extent of 100% cost of the Project. Under this scheme, many Panchayats have availed the benefits for construction of Market Complexes, Multi-Purpose Halls, etc. which has helped the Panchayats to raise their income, which in turn could be utilized by the Panchayats for undertaking developmental works. As per the scheme, the Panchayats are required to repay the principal amount of loan in 10 annual installments and the interest accrued thereafter along with the last installment.

**(9) HOUSING SCHEME**

Earlier existing Housing Schemes under the Directorate of Panchayats` and the Social Welfare Department have been amalgamated into one scheme known as “**Rajiv Awaas Yojana, 2008.**” Under this scheme any person who is born and residing in the State of Goa since last 15 years and whose father and mother is born in Goa and where the total income including that of his family from all sources does not exceed Rs.1.00 lakh and who does not own any house or owns a house either in his/her own name or in the name of any of the family members, which requires repairs, shall be eligible to avail the benefits of this scheme. The Director of Panchayats is the sanctioning authority for the rural areas and the Director of Social Welfare is the sanctioning authority for urban areas. Under the scheme an amount of Rs.25,000/- shall be sanctioned for the purpose of construction of new house and Rs.12,500/- for the purpose of repairing an existing house. The eligible applicants who require assistance under the scheme are required to submit the application in the prescribed form to the respective Block Development Officer with all the required documents.



## 10. RIGHT TO INFORMATION

Right to information is a basic right of every citizen which has been duly guaranteed under the Right to Information Act, 2005. The Directorate of Panchayats has notified the Public Information Officers, Assistant Public Information Officers and First Appellate Authorities for their respective jurisdictions which is as follows:

### 1) Original Jurisdiction:

The following table shows the officers designated as PIOs and Assistant PIOs with their respective jurisdiction as per the provisions of the Right to Information Act, 2005

Sr. No.	Designation of Officer	Jurisdiction of Officer	Designation under RTI Act, 2005
1	Village Panchayat Secretary of respective Panchayat	Respective Village Panchayat Office	Public Information Officer
2	Block Development Officer of respective Taluka	Respective Block Office	Public Information Officer
3	Superintendent posted in the office of Director of Panchayats	Directorate of Panchayats Panaji Goa	Assistant Public Information Officer
4	Superintendent posted in the office of Dy. Director of Panchayats (South)	Office of the Dy. Director of Panchayats ( South) Margao Goa	Assistant Public Information Officer

Sr. No.	Designation of Officer	Jurisdiction of Officer	Designation under RTI Act, 2005
5	Dy. Director of Panchayats (North) Panaji	Directorate of Panchayats Panaji Goa	Public Information Officer
6	Dy. Director of Panchayats (South) Margao	Office of the Dy. Director of Panchayats ( South) Margao Goa	Public Information Officer

### 2) Appellate Jurisdiction:

The following table shows the officers designated as First Appellate Officers with their respective jurisdiction and designation as required under the Right to Information Act, 2005

<b>Sr. No.</b>	<b>Designation of Officer</b>	<b>Jurisdiction of Officer</b>	<b>Designation under RTI Act, 2005</b>
1	Block Development Officer	Against the orders passed by Village Panchayat Secretaries within the jurisdiction of respective Blocks	First Appellate Authority
2	Dy. Director of Panchayats (North) Panaji- Goa	Against the orders passed in original jurisdiction by Block Development Officers of Six Blocks of North- Goa District.	First Appellate Authority
3	Dy. Director of Panchayats (South) Margao	Against the orders passed in original jurisdiction by Block Development Officers of Five Blocks of South - Goa District.	First Appellate Authority
4	Director of Panchayats Panaji Goa	Against the orders passed in original jurisdiction by Dy. Director of Panchayats North-Goa and South - Goa .	First Appellate Authority

### **NORTH GOA ZILLA PANCHAYAT**

<b>Sr. No.</b>	<b>Designation of Officer</b>	<b>Jurisdiction of Officer</b>	<b>Designation under RTI Act, 2005</b>
1	Chief Executive Officer	North Goa Zilla Panchayat	First Appellate Authority
2	Chief Accounts Officer	North Goa Zilla Panchayat	Public Information Officer
3	Executive Engineer	North Goa Zilla Panchayat	Public Information Officer for information pertaining to Technical nature
4	Accountant	North Goa Zilla Panchayat	Assistant Public Information Officer for all Administrative and Accounts information except technical

### **SOUTH GOA ZILLA PANCHAYATS**

<b>Sr. No.</b>	<b>Designation of Officer</b>	<b>Jurisdiction of Officer</b>	<b>Designation under RTI Act, 2005</b>
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1	Chief Executive Officer	South Goa Zilla Panchayat	First Appellate Authority
2	Chief Accounts Officer	South Goa Zilla Panchayat	Public Information Officer
3	Accountant	South Goa Zilla Panchayat	Assistant Public Information Officer

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## **A N N E X U R E - 1**

### **The Constitution 73rd Amendment Act, 1992** (Salient Features)

The Constitution 73rd Amendment Act, 1992 received the assent of the President on April 20, 1993 and was notified on April 24, 1993. As per the Amendment, Part IX 'The Panchayats' shall be inserted after Part – VIII of the Constitution. The Act provides for the establishment of Panchayats in every State with the following features.

### **Gram Sabha ( Article 243A)**

Under the 1993 Act a Gram Sabha means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of Panchayat at the village level. The Gram Sabha may exercise such powers and perform such functions at the village level as the legislature of a State may by law provide.

### **Constitution of Panchayats (Article 243B)**

Panchayat has been defined as an institution (by whatever name called) of self government constituted under Article 243B of the Constitution for the rural areas. It provides there shall be constituted in every State, Panchayats at the village level, intermediate and district levels in accordance with the provisions of this part. However, notwithstanding anything in clause (1) Panchayats at the intermediate level may not be constituted in a State having a population not exceeding 20 lakhs.

### **Composition of Panchayats ( Article 243C )**

The legislature of a State may, by law, make provisions with respect to the composition of Panchayats. Provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State. All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area, and for this purpose each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area. As regards the representation in the Panchayat it has been left to the State legislature to provide for the representation of:

- (a) the chairpersons of the Panchayats at the village level, in the Panchayats at the intermediate level in the Panchayats at the district level;
- (b) the chairperson of the Panchayats at the intermediate level, in the Panchayats at the district level;
- (c) of the members of the house of people and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level, in such Panchayat
- (d) the members of the council of States and the members of the Legislative Council of the State, where they are registered as electors within.
- (e) a Panchayat area at the intermediate level, in Panchayat at the intermediate level; and
- (f) a Panchayat area at the district level, in Panchayat at the district level.

The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayat. The Act further provides that the chairperson of a Panchayat at the village level shall be

elected in such manner as the legislature of a State may, by law, provide; and a Panchayat at the intermediate level or district level shall be elected by, and amongst, the elected members thereof.

### **Reservation of Seats (Article 243D)**

Seats shall be reserved for the SCs and STs in every Panchayat and the number of seats so reserved shall bear as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the of the STs in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat. Not less than one-third of the total number of seats reserved shall be reserved for women belonging to the SCs or a the case may be the STs. Not less than one-third (including the number of seats reserved for women belonging to SCs and STs) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat. The offices of the chairpersons in the Panchayat at the village or any other levels shall be reserved for the SC/STs and women in such manner as the legislature of the State may, by law provide. The number of offices of chairpersons reserved for the SCs and STs in the Panchayats at level in any State shall bear as may be the same proportion to the total number of such offices in the Panchayats at each level as the population of SCs in the State of the STs in the State bears to the total population of the State. It has been provided further that not less than one third of total number of offices of chairpersons in the Panchayat each level shall be reserved for women. The number of offices reserved under this clause shall be allotted by rotation to different Panchayats at each level.

### **Duration of Panchayats (Article 243E )**

Every panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer. No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any levels which is functioning immediately before such amendment, till the expiration of its duration specified.

An election to constitute a Panchayat shall be completed before the expiry of its duration as specified or before the expiration of a period of six months from the date of its dissolution. It has further been provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting Panchayat for such period. A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued had it not been so dissolved.

### **Disqualifications for Membership ( Article 243F )**

There is a provision for disqualification for membership. It has been provided that a person shall be disqualified for being chosen as and for being a member of Panchayat (a) if he is so disqualified by or

under any law for the time being in force for the purposes of elections for the legislature of the State concerned; provided that no person shall be disqualified on the ground that he / she is less than 25 years of age, if he/she has attained the age of 21 years; (b) if he is so disqualified by or under any law made by the Legislature of the State.

### **Powers, Authority and Responsibility of Panchayats (Article 243G)**

Subject to the provisions of this constitution, the legislature of a State may, by law, endow the Panchayats with such powers, and authority as may be necessary to enable them to function as institutions of self government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as specified therein, in regard to:

- (a) the preparation of plans for economic development and social justice
- (b) the implementation of schemes for economic development and social justice as may be entrusted to them, including those related to subjects given in the eleventh schedule.

### **Powers to Impose Taxes and Funds of the Panchayats ( Article 243H )**

The legislature of a State may by law authorize a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits. It can also assign to a panchayat such taxes, duties and tolls and fees levied and collected by the State government for such purposes and subject to such conditions and limits.

It is to provide for making such grants-in-aid to the Panchayats from the consolidated fund of the State and further for construction of such of funds for depositing all moneys received, respectively, by or on behalf of the Panchayats and also for withdrawal of such moneys there from, as may be specified in law.

### **State Finance Commission ( Article 243 I)**

The Governor of a State shall, as soon as may or within one year from the commencement of the 73rd Amendment and after that at expiry of every fifth year, constitute a State Finance Commission (SFC) to review the financial position of the Panchayats and to make recommendations to the Governor as to-

- (a) the principles which should govern – (i) the distribution between States and Panchayats of the taxes, duties, tolls and fees leviable by the State which may be divided between them.
- (b) the determination of taxes, duties, tolls and fees which may be assigned to, or appropriated by the Panchayats.
- (c) the grants-in-aid from consolidated fund of the State.

### **Audit of Accounts of Panchayats (Article 243J)**

The legislature of a State may, by law make provisions with respect to the maintenance of accounts by the Panchayats and the auditing of such accounts.

### **Elections to the Panchayats ( Article 243K )**

The superintendence, direction and control of the preparation of electoral rolls and elections to the Panchayats shall be vested in a State Election Commission, comprising a State Election Commissioner appointed by the Governor. The State Election Commission shall not be removed from his office except in



like manner as in case of removal process of High Court judges. The Governor of a State shall, when so requested by the State Election Commission (SEC), make available to the State Election Commission such staff as may be necessary for the discharge of functions conferred on the SEC including elections. However, subject to the provisions of the Constitution, the legislature of a state may by law, make provision with respect to all matters relating to elections to the Panchayats.

#### **Application to Union Territories ( Article 243L )**

The provisions of this part shall apply to the Union Territories and shall, in their application to a union territory, have effect as if the references to the Governor of a State were references to the Administrator of the Union Territory appointed under Article 23G and references to legislature or the Legislative Assembly of a State were references in relation to a U.T. having a Legislative Assembly, to that Legislative Assembly. For the application of provisions of Part IX of the Constitution, relating to Panchayats, the President may, by public notification, direct that the provisions of the part shall apply to any Union Territory or part thereof subject to such exceptions and modifications as he may specify in the notification.

#### **Part IX Not to Apply to Certain Areas ( Article 243M )**

This part shall not apply to the Scheduled Areas and the tribal areas, the States of Nagaland, Meghalaya and Mizoram, the hill areas in the State of Manipur for which district councils exist under any law for the time being in force.

#### **Continuance of Existing Laws and Panchayats (Article 243 N )**

Notwithstanding anything in this Part (Part IX), any provision of any law relating to Panchayats in force in a State immediately before the commencement of the 73rd Constitution Amendment Act, 1992, which is inconsistent with the provision of this part, shall continue to be in force until amended or repealed or until the expiration of one year from commencement of this Amendment. Also all Panchayats existing immediately before the commencement of this Amendment, shall continue till the expiration of their duration, unless sooner dissolved by a resolution passed by the Legislative Assembly.

#### **Bar to Interference by Courts in Electoral Matters ( Article 243-O )**

Notwithstanding anything in this Constitution:

(a) the validity of any law relating to the delimitation of constituencies or the allotment of State to such constituencies made under Article 243K shall not be called in question in any Court (b) no election to any Panchayat shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the legislature of a State.

#### **Amendment of Article 280**

In clause (3) of Article 280 of the Constitution after sub-clause (b) the following sub-clause shall be inserted, namely:

(bb) The measures needed to augment the consolidated fund of a State to supplement the resources of Panchayats in the State on the basis of the recommendations made by the Finance Commission of the State.

### **Addition of Eleventh Schedule (Article 243G)**

After the tenth schedule of the Constitution the eleventh schedule has been added. This schedule contains an exhaustive list of matters / subjects which have been devolved to the Panchayats by Part IX of the Constitution.

The list of subjects include:

1. Agriculture
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development
4. Animal husbandry, dairying and poultry
5. Fisheries
6. Social forestry and farm forestry
7. Minor forest produce
8. Small scale industries, including food processing industries
7. Khadi, village and cottage industries
10. Rural housing
11. Drinking water
12. Fuel and fodder
13. Rural electrification including distribution of electricity
14. Non-conventional energy sources
15. Poverty alleviation programme
16. Education, including primary and secondary schools
17. Technical training and vocational education
18. Adult and non-formal education
19. Libraries
20. Cultural activities
21. Markets and fairs
22. Health and sanitation, including hospitals, primary health centre and dispensaries
23. Family welfare
24. Women and child development
25. Social welfare, including welfare of handicapped and mentally retarded
26. Welfare of the weaker sections and in particular of the Scheduled Castes and Scheduled Tribes
27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and the Scheduled Tribes
28. Public Distribution System
29. Maintenance of Community assets

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## **A N N E X U R E - 2**

## **LIST OF OFFICERS OF DEPARTMENT OF PANCHAYAT RAJ, GOA.**

Sl. No.	Name of the Official	Designation	Office Tel No.	Res/Mobile No.
1.	Shri Menino D'Souza	Director of Panchayats	2432826	2445609 / 9823196590
	<b>NORTH GOA</b>			
2	Shri H. D. Mashelkar	Addl. Director of Panchayats-II	2222586	9822556242
3	Shri V.V. Arlenkar	Chief Executive officer, Zilla Panchayat, North Goa	2423439	9422437071
4	Smt. Meena Naik Goltekar	Dy. Director (North)	2222586/2432550	9370567428
5	Shri Vishant S.N. Gaunekar	B.D.O. Tiswadi	2426481	2335312 / 94230567041
6	Shri Shivprasad S. Naik	B.D.O. Bardez-I	2262206/2250488	9423057997
7	Kum. Mohini K. Halarnkar	B.D.O. Bardez-II	2262206	2415217
8	Shri Soma Shetkar	B.D.O.Pernem	2201231	9421151105
9	Shri Arvind Mishra	B.D.O. Bicholim	2362103	9420686650
10	Shri Shashank V. Thakur	B.D.O. Sattari	2374250/2374056	9423057833
11	Smt. Anuja A. Naik Gaonkar	B.D.O. Ponda	2312019	2670192 / 9850890090
	<b>SOUTH GOA</b>			
12	Shri Shri Melwyn Vaz	Addl. Director of Panchayats-I	2222586	9326123579
13	Shri N. S. Navti	Chief Executive Officer, Zilla Panchayat, South	2741966	9422059792
14	Smt. Sandhya Kamat	Dy. Director (South)	2715278	2747669 / 9423882670
15	Shri. Sagun R. Velip	B.D.O. Salcete-I	2714869	2602553 / 9850470146
16	Shri Uday Prabhudessai	B.D.O. Salcete-II	2714869	
17	Shri. Pipi T. Murgaonkar	B.D.O. Mormugao	2510638	2285922 / 9850476488
18	Shri. Manuel Barreto	B.D.O. Quepem	2662229	2705449 / 9850741954
19	Shri. Manuel Barreto	B.D.O. Sanguem	2604252	2705449 / 9850741954
20	Shri. Arvind B. Khutkar	B.D.O. Canacona	2643338	2601308 / 9850464178

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### **A N N E X U R E - 3**

## LIST OF VILLAGE PANCHAYATS WITH TELEPHONE NUMBERS

SR. NO.	NAME OF BLOCK	NAME OF VILLAGE PANCHAYAT	TEL.NO.
		<b><u>NORTH GOA DISTRICT</u></b>	
1	<b>PERNEM</b>	1. Agarwada-Chopdem	2246254
		2. Allorna	2205221
		3. Arambol	2242966
		4. Casarvarnem	2205220
		5. Casne-Amere-Poroscodem	2201331
		6. Chandel-Hassapur	2205100
		7. Corgao	2241189
		8. Dhargalim	2240250
		9. Ibrampur	2209222
		10. Mandrem	2247222
		11. Morjim	2244310
		12. Ozorim	2207110
		13. Paliem	2292128
		14. Parcem	2246247
		15. Querim-Terekhol	2292161
		16. Tamboxem-Mopa-Uguem	2204511
		17. Torxem	2204510
		18. Tuem	2240585
		19. Varcond-Nagzor	2204111
		20. Virnoda	2201336
2	<b>BARDEZ</b>	1. Aldona	2293242
		2. Anjuna-Caisua	2273246
		3. Arpora-Nagoa	2277147
		4. Assagao	2268218
		5. Assonora	2215263
		6. Bastora	2260003
		7. Calangute	2276016
		8. Camurlim	2212171
		9. Candolim	2489061
		10. Colvale	2299817
		11. Guirim	2263565

		12. Moira	2470344
		13. Nachinola	2293500
		14. Nadora	2211189
		15. Nerul	2401979
		16. Oxel	2272272
		17. Parra	2472089
		18. Penha-de France	2417822/2417213
		19. Pilerne-Marra	2407466
		20. Pirna	2210101
		21. Pomburpa-Olaulim	2295244
		22. Reis-Magos	2402332
		23. Revora	2299501
		24. Saligao	2278374
		25. Salvador do Mundo	2417821
		26. Sangolda	2417823
		27. Siolim-Marna	2272205
		28. Siolim-Sodiem	2272278
		29. Sirsaim	2298339
		30. Socorro	2417304
		31. Tivim	2298595
		32. Ucassaim-Paliem-Punola	2261825
		33. Verla Canca	2472009
3	<b>TISWADI</b>	1. Azossim-Mandur	2208160
		2. Batim	2217453
		3. Carambolim	2284964
		4. Chimbel	2449790
		5. Chodan-Madel	2239340
		6. Corlim	2285855
		7. Cumbharjua	2287004
		8. Curca-Bambolim-Talaulim	2218565
		9. Golti-Navelim	2280078
		10. Merces	2448058
		11. Neura	2208161
		12. St. Cruz	2448769
		13. Siridao-Pale	2218505
		14. St. Andre(Goa Velha)	2218579
		15. St. Estevam	2287003
		16. St. Lawrence(Agassaim)	2218519
		17. Sao Matias	2280079

		18. Se Old Goa	2285734
		19. Taliegao	2465354
4	<b>BICHOLIM</b>	1. Advalpale	2215211
		2. Amona	2386433
		3. Cudnem	2364217
		4. Carapur-Sarvan	2364273
		5. Latambarcem	2380113
		6. Maem-Vaiguinim	2387054
		7. Mencrem-Dhumacem	2210279
		8. Mulgao	2215261
		9. Naroa	2387012
		10. Navelim	2386111
		11. Ona-Maulingem-Curchirem	2361258
		12. Pale-Cothombi	2372226
		13. Piligao	2362364
		14. Salem	2389270
		15. Sirigao	3950398
		16. Surla	2353234
		17. Velguem	2353249
5	<b>SATTARI</b>	1. Bironдем	2382169
		2. Cotorem	2378108
		3. Dongurli-Thane	2379274
		4. Guleli	2378493
		5. Honda	2370222
		6. Mauxi	2374279
		7. Morlem	2368382
		8. Nagargao	2374258
		9. Pissurlem	2352089
		10. Poriem	6410375
		11. Querim	2369277
		12. Sanvordem	2358151
6	<b>PONDA</b>	1. Bandora	2335102
		2. Betora-Nirankal-Conxem-Codar	2330030
		3. Betki-Candola	2287860
		4. Bhoma-Adcolna	2395216
		5. Borim	2333233
		6. Cundaim	2395344

		7. Curti-Khandepar	2313103/2345010
		8. Durbhat	2325053
		9. Marcaim	2392256
		10. Panchawadi	2309680
		11. Queula	2313176
		12. Querim	2340362
		13. Shiroda	2306230
		14. Tivre-Orgao	2287734
		15. Usgao-Ganjem	2344213/2345139
		16. Veling-Priol-Cuncolem	2343409
		17. Verem-Vaghurme	2340234
		18. Volvoi	2340810
		19. Wadi-Telaulim	2325047
		<b><u>SOUTH GOA DISTRICT</u></b>	
7	<b>SALCETE</b>	1. Ambelim	2773232
		2. Aquem-Baixo	2766343
		3. Assolna	2773278
		4. Betalbatim	2880036
		5. Camurlim	2777019
		6. Cana-Banaulim	2770164
		7. Carmona	2744692
		8. Cavelossim	2871521
		9. Chandor-Cavorim	2784250
		10. Chinchinim-Deusaua	2863283
		11. Colva	2788485
		12. Curtorim	2786283
		13. Davorlim-Dicarpale	2753084
		14. Dramapur-Sirlim	2765060
		15. Guirdolim	2784235
		16. Loutolim	2777018
		17. Macazana	2786269
		18. Navelim	2726404
		19. Nuvem	2790103
		20. Orlim	2745020
		21. Paroda	2869511
		22. Raia	2776183
		23. Rachol	2776020
		24. Rumdamol-Davorlim	2752015
		25. Sarzora	2864097

		26. Seraulim	2788765
		27. Sao Jose De Areal	2860372
		28. Telaulim	2726403
		29. Varca	2745057
		30. Velim	2773231
8	<b>MORMUGAO</b>	1. Cansaulim-Arossim-Cuelim	2754048
		2. Chicalim	2540226
		3. Chicolna	2538952
		4. Cortalim-Quelossim	2550247
		5. Majorda-Utorda-Calata	2881435
		6. Nagoa	2783736
		7. Sancoale	2550221
		8. Velsao-Pale-Issorcim	2754066
		9. Verna	2782295
9	<b>QUEPEM</b>	1. Ambaulim	2662270
		2. Assolda	2757770
		3. Avedem-Cothombi-Chaifi	2663160
		4. Balli-Adnem	2670210
		5. Barcem-Quedem	2673034
		6. Caorem-Pirla	3223457
		7. Fatorpa-Quitol	2955331
		8. Molcornem	2678230
		9. Morpirla	2670452
		10. Naqueri-Betul	2676135
		11. Xeldem	2662230
10	<b>SANGUEM</b>	1. Bhati	2607337
		2. Calem	2601204
		3. Collem	2600245
		4. Curdi-Vadem	2609243
		5. Dharbandora	2614080
		6. Kirlapal-Dabal	2618267
		7. Mollem	2612235
		8. Neturlim	2608227
		9. Rivona	2602227
		10. Sancordem	2611120
		11. Sanvordem	2605176
		12. Uguem	2604213



11	<b>CANACONA</b>	1. Agonda	2647357
		2. Cola	2647213
		3. Cotigao	2639166
		4. Gaondongrem	2649385
		5. Loliem-Polem	2640247
		6. Poinguinim	2641205
		7. Shristhal	2633380

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## **ANNEXURE - 4**

**Order**

### 30/3/DP-99

In order to simplify the procedure for the grant of permission for the construction of building, the Government is pleased to issue the following instructions for strict compliance of the Panchayat or the concerned authority.

1) Every person seeking permission for construction of building shall prepare four sets of building plans & drawings and submit the same to the Panchayat along with all necessary documents as required by the Goa Daman & Diu Village Panchayats, (Regulations of Building) Rules, 1971.

2) The Village Panchayat Secretary or any other person authorized by Panchayat in this behalf shall acknowledge the application. The Panchayat Secretary shall scrutinize the application and place the same before the Sarpanch, within 2 days from the date of receipt of the application. In case if the application is complete in all respects, the Sarpanch shall forward the plans and drawings to the Town Planner of the concerned taluka in duplicate and simultaneously one set of plans & drawings to the Assistant Engineer of PWD/Technical Officer.

In case the application is incomplete; the Panchayat Secretary shall return the same to the applicant within the week with the direction to resubmit the application after complying with the observations raised by the Panchayat.

3) The Town Planner and the Technical Officer shall communicate their comments/views within two weeks from the date of the receipt of the plans and drawings from the Panchayat.

4) The Town Planner shall scrutinize the plans and convey his comments on the following aspects :

- a) The area of the plot
- b) The area allowed to be converted by the Dy. Collector.
- c) The permissible FAR.
- d) FAR proposed for construction.
- e) Height of the building.
- f) Number of units allowed and their purpose.
- g) Total built up area.
- h) The area kept for car parking, open space etc.
- i) Set back approved North, South, East & West.
- j) Area of the existing structure in case of reconstruction.
- k) Access to the proposed construction.
- l) Whether any traditional access or footpath is existing.

m) The zone in which the proposed construction falls and any other information which may be relevant.

In case the Town Planner fails to communicate his decision within two weeks it will be presumed that the Town Planner has no objection for the grant of permission.

5. The Technical Officer of the Public Works Department shall scrutinize the plans and drawings and certify the RCC drawings of the structure, cost of the building, within two weeks. In case the Technical Officer fails to issue the necessary certificate it will be presumed that the plans & drawings submitted by the applicant duly certified by the Architect/ Engineer will be taken as correct.
6. The Panchayat on receipt of the report from the Town Planner and Technical Officer shall place the matter before the meeting of the Panchayat body and take appropriate decision within two weeks from the date of receipt of the report. In case of failure of receipt of the report from the Town Planner and or from the PWD, the Panchayat shall also take decision on the application submitted by the applicant to the Panchayat. In any case the Panchayat shall communicate its decision within a period of 30 days from the date of receipt of the application by the Panchayat.



No.19/16/DP/CONSTRUCTION/07/2668  
Government of Goa,  
Directorate of Panchayats,  
Junta House, 3<sup>rd</sup> Lift, 3<sup>rd</sup> Floor,  
Panaji, Goa.  
Dated: 07.09.2007.

### C I R C U L A R

The Village Panchayats are granting permissions for Constructions/Development of land on the basis of N.O.C's granted by various authorities under the relevant provisions of law for the time being in force. It has been brought to the notice of the undersigned that some of the Village Panchayats are issuing construction licences/Development permissions without insisting on N.O.C's from the concerned authorities.

For instance under the relevant Rules in force besides the approval of the Town & Country Planning Department and P.W.D. Authorities, approval of the following authorities is required:

- **Chief Inspector of Factories and Goa State Pollution Control Board:** in case of industrial buildings;

- **Chief Fire Officer**:: in case of high-rise buildings;
- **Electricity Department**: in case the electric line is passing through the property;
- **Health Officer**: from sanitation point of view
- **Chief Controller of Explosives and Chief Fire Officer**: in case of hazardous buildings;
- **Goa Coastal Zone Management Authority**: in case the Construction/Development falls within 500 mtrs. of High Tide Line of sea and 100 mtrs of river edge;

And such other approvals/N.O.Cs from the concerned authorities wherever required, under the provisions of law applicable for constructions/ development of land.

All the Village Panchayats are therefore directed to ensure that all the approvals/N.O.Cs. are obtained from the concerned authorities wherever required, before issue of any permission for Construction/development of land.

Sd/-  
( MENINO D'SOUZA )  
Director of Panchayats,  
Panaji – Goa

To  
All the Village Panchayats  
(Through the Block Development Officers concerned).

Copy to:

1. The Dy. Director of Panchayats, North, Panaji.
2. The Dy. Director of Panchayats, South, Margao.

## ANNEXURE - 5

No.15/77/DP/CIR/2000/6983  
Government of Goa,  
Directorate of Panchayats,  
Junta House, 3<sup>rd</sup> lift, 3<sup>rd</sup> Floor,

Panaji – Goa.  
Dated: 6.9.2002.

**C I R C U L A R**

It has come to my knowledge that inspite of clear instructions issued by this Directorate in the matter of repairs to buildings, the permission granted by the Village Panchayat for the repairs of existing house/building within the existing plinth area, has been misused which amounts to violation of the building rules in force. In order to keep an effective control on such permission for repairs granted, it is felt necessary to introduce a format for granting repairs licence for the repairs undertaken within the jurisdiction of the Panchayats within the State of Goa, in terms of para 6 of the Memorandum No.76/97/538 dated 5.2.1999.

It is enjoined upon all the Sarpanchas of Panchayat to compulsorily obtain and retain in the file of the concerned party details of repairs in the format inspection and report, as per format prescribed and enclosed herewith, before granting of permission for the repairs. A format for granting permission to undertake repairs has also been enclosed herewith which should be implemented immediately.

Copy of this Circular should be acknowledged.

Sd/-  
( P.M. BORKAR )  
Director of Panchayats,  
Panaji – Goa.

- Encl: (1) Application Format.  
(2) Format on inspection report;  
(3) Format for granting permission for repairs.

**APPLICATION FOR PERMISSION FOR REPAIRS TO BUILDING**

Village Panchayat \_\_\_\_\_ Case No. \_\_\_\_\_ M/Y

1. Name of the applicant :
2. Name of the Ward/Locality : 2 (a) House No.

- i. House Tax assessed:
- ii. House Tax paid:
- iii. No. & date of receipt.

- 3. Name of the Owner/Co-owner:
- 4. Description of existing house:  
(whether storied)
- 5. Whether there is Electric Supply/  
Meter, if so, since when
- 6. Whether there is water supply/  
Meter, if so, since when
- 7. Specification of the material of :  
existing house (whether it is of  
mud, laterite stones, plastered)
- 8 Plinth area of the existing :  
Building/house
- 9. Dimensions of the existing :  
building/house (with) sketch
- 10. How old is the existing Building/ :  
house
- 11. Cadastral Survey Number :  
:
- 12. Title document(s) :  
:
- 13. Photographs of existing house/ :  
Building
- 14. Full particulars with dimensions :  
of repairs to be undertaken  
(whether for part of the building or  
entire building).
- 15. Specification of material to be :  
used in the repairs.
- 16. Necessity to undertake repairs :  
:
- 17. Estimated cost of repairs :
- 18. Approximate time required for  
the repairs.

Place:

Name:

Date:

Signature of the Applicant

## **A N N E X U R E – 6**

### **Maximum Time-Limit for providing various services in the Village Panchayats**

Sr. No.	Type of Service	Time-Limit
1.	A. <u>Licenses/Permissions issued by the Village Panchayat</u>	

	1) Grant of License for Construction/ Reconstruction of any structure: 2) Permission for Repairs of House/Structure: 3) License for Hotels/ Shops/ Restaurant/ Eating House/ Coffee House/ Sweet Meat Shop/ Bakery/ Boarding etc. 4) Permission for construction of factories/ Installation of Machinery. 5) License for using any place for Trade, Business or Industry. 6) License for places for disposal of Dead Bodies. 7) Licensing of Shops.	One Month One Month One Month One Month One Month One Month One Month
2.	<u>B. Certificates issued by the Village Panchayat</u> 1) Income Certificate:- 2) Birth / Death Certificate 3) Occupancy Certificate: 4) No Dues Certificate 5) Non-Availability of Birth or Death Certificate	One week One Day One Month One week One Day
3.	The Sarpanch may issue the following certificates at the request of the party: 6) Residence Certificate 7) Character Certificate 8) Dependency Certificate 9) Poverty Certificate 10) Divergence Certificate 11) Bonafide Fisherman Certificate 12) Occupation Certificate	One week One week One week One week One week One week One week
4.	<u>C. No Objection Certificates (NOCs) issued by the Village Panchayat</u> 1) NOC for Water Connection 2) NOC for Electricity Connection 3) NOC for Road Cutting 4) NOC for running General Stores 5) NOC for running Bar/ Liquor shop 6) NOC for running Establishment	20 days 20 days 20 days 20 days 20 days 20 days
5.	<u>D. Other Services</u> 1) Correction in Births and Deaths Records. 2) Issue of certified copies of Resolutions. 3) Issue of Information under RTI Act, 2005.	One month 15 days one month

## ANNEXURE – 7

### RATES OF HOUSE TAX

<u>Particulars</u>	<u>Minimum Rates</u>	<u>Maximum Rates</u>
1. All residential houses/structures irrespective of any size and type constructed prior to last	Double the existing house tax not less than minimum but not	



over 25 years and back.	exceeding Rs.150/- per annum whichever is less.	
2. All residential houses/structures irrespective of any size and type, except houses/structures, constructed after last 25 years but prior to 31 <sup>st</sup> December, 1990.	Triple the existing house tax not less than minimum but not exceeding Rs.300/- whichever is less.	
3. All residential houses with mud/roof with local or Mangalore or Palm leaves irrespective of any size constructed prior to 31 <sup>st</sup> December, 1990.	Existing house tax but not less than minimum.	
4. All premises used for business/commercial purpose under Rent Back Scheme for any period or premises rented for any period.	An amount equivalent to one month's rent for each flat or each premises or each dwelling unit.	
5. New house (R.C.C.)	Rs.5.00 per sq.mts.	Rs.8.00 per sq.mts.
6. New house with Mangalore tiles and masonry walls	Rs.2.00 per sq.mts.	Rs.4.00 per sq.mts.
7. New house with mud walls	Rs.0.50 per sq.mts.	Rs.1.00 per sq.mts.
8. Garbage/shed/cowshed (new) attached to the house	Rs.0.50 per sq.mts.	Rs.1.00 per sq.mts.
9. Garbage/shed/cowshed (old) attached to the house	0.25 per sq.mts.	Rs.0.50 per sq.mts.
10. Any other structure used for residential and allied purpose.	-	Rs.25/- per annum.

The Director of Panchayats is the sanctioning authority for the rural areas and the Director of Social Welfare is the sanctioning authority for urban areas. Under the scheme an amount of Rs.25,000/- shall be sanctioned for the purpose of construction of new house and Rs.12,500/- for the purpose of repairing an existing house. The eligible applicants who require assistance under the scheme are required to submit the application in the prescribed form to the respective Block Development Officer with all the required documents