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Establishment of separate Village Panchayats by splitting up existing Village Panchayats -
Measures to avoid delay in finalisation of proposals regarding -

GOVERNMENT OF MAHARASHTRA
Rural Development Department.
Circular No.VPM 1170/52888-E.

Sachivalaya, Bombay-32(BR), Dated the 3rd January 1973.

READ:- Government Letter, Rural Development Department
No. VPM 1170/44434-E, dated 7th December 1970.
Letter No. A-III-VPT-DB-V, dated the 7th April 1971 from the Commissioner, Nagpur Division, Nagpur.
Letter No. VPT-5-991, dated the 12th May 1971 from the Commissioner, Poona Division, Poona.
Letter No. VPF 6813, dated the 28th June 1971 from the Commissioner, Bombay Division, Bombay.
Letter No. 71/F/VPR/CR/1, dated the November 1971 from the Commissioner, Aurangabad Division, Aurangabad.

CIRCULAR:- Sub-section(1) of section 4 of the Bombay Village Panchayats Act, 1958 empowers Government to establish Village Panchayats. Sub-section(2) thereof enables Government to alter the limits of existing Village Panchayats. The powers of Government under the abovesaid provisions have been delegated to the Commissioners of Divisions. Whenever it is proposed to declare any local area to be a "Village" under section 4(1) (that is establishing a Village Panchayat), the Chief Executive Officer of the Zilla Parishad has to make an inquiry as prescribed in the Bombay Village Panchayats (Declaration of Village) Enquiry Rules, 1959 to ascertain the population, the ordinary land revenue and the extent of such local area. The aim of Government is to cover the entire rural area by Village Panchayats. This has already been achieved as almost all such area is covered by either independent Village Panchayats or Group Village Panchayats. There is, however, a constant demand for establishment of separate Village Panchayats by splitting up the existing group Village Panchayats. At present, the norms laid down by Government to consider such demands are as follows :—

- (i) The new Village Panchayat proposed to be established should have a population of 600 or more. Exceptional cases (e.g. long distance between the existing units) or the cases of tandas, hamlets, wadis or local areas having less than 600 population but more than 250 may be considered for separate Village Panchayats.
- (ii) The proposed new Village Panchayat must be financially viable.

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2. It is a common complaint that establishment of separate Village Panchayats by splitting up existing Village Panchayats takes quite a long time. According to the existing procedure, the work relating to formulation of proposals for splitting up of Group Village Panchayats and establishment of separate Village Panchayats is being done by the Chief Executive Officers. These officers are required to collect information regarding (i) population, (ii) land revenue and (iii) financial viability of the proposed Village Panchayats and to compile the said information in the forms 'A' and 'B' appended to the Bombay Village Panchayats (Declaration of Village) Enquiry Rules, 1959. They are also

required to consult the concerned Village Panchayats and the Standing Committee and submit the proposal to the Commissioner for further action. The question of streamlining the procedure with a view to minimising delays in this regard was under the consideration of Government for some time past. Government has come to the conclusion that the existing procedure is quite simple and convenient and needs to be continued. However, to speed up matters, the following steps should be taken :—

- (i) With a view to seeing that proposals are not held up for lack of information on vital points, they should be formulated and checked at each level with reference to the *accompanying proforma.
- (ii) In addition, registers in suitable forms should be maintained at Block level and by the Administrative officers at the Zilla Parishad level and they should be checked every month.
- (iii) The proposals are many times unnecessarily held up at the village level and the Zilla Parishad level (Standing Committee) for passing of resolutions by the concerned Village Panchayats and the Standing Committee of the Zilla Parishad. Government considered that it should not take more than 2 months to obtain such resolutions. The Village Panchayat may be given 2 months time to express its views and to pass the necessary resolution. It should be informed that if it fails to express its views within this time limit, it will be assumed that it has no objection to the proposal. The other information regarding survey numbers, population, income, land revenue, etc. should also be collected by the Block staff within this period of 2 months only. The Standing Committee of the Zilla Parishad must also express its views within a period of 2 months and if it fails to do so within this period, it may be told that it will be assumed that it has also no objection to the proposal.

2. The officers concerned are requested to observe the above instructions very scrupulously so that the proposals for establishing separate Village Panchayats will not be delayed at any level and will be finalised early.

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

M.B. BAPAT,

Section Officer, Government of Maharashtra.

To

The Commissioners of Divisions,
All Collectors (except the Collector of Bombay and Bombay Suburban District),
All Chief Executive Officers of Zilla Parishads,
All Block Development Officers,
The Revenue and Forests Department,
All Officers, Sections and Branches of Rural Development Department,
Select File.

No.

of 1973.

Copy forwarded for information and guidance to -

*Printed as an accompaniment to this Circular.

ACCOMPANIMENT TO GOVERNMENT CIRCULAR, RURAL DEVELOPMENT DEPARTMENT
NO. VPM 1170/52888-E, DATED THE 3rd JANUARY 1973.

THE INFORMATION PERTAINING TO THE PRESENT PROPOSAL IS AS UNDER

1. Name of the existing Group Village Panchayat-Villages included therein.
2. Number and date of the Government/Commissioner's Notification under which the existing Group Village Panchayat was established.
3. Name of the Villages requesting for a group/independent Village Panchayat and reasons for separation. (Statements of the villagers should be recorded. The Chief Executive Officer should offer his remarks on the statements of the villagers).
4. Details regarding population, probable income and expenditure of the proposed village Panchayats.

<u>Name of proposed Village Panchayat</u>	<u>Population</u>	<u>Income</u>	<u>Expenditure</u>
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5. Whether the proposal is in order as per Government Letter, Co-operation and Rural Development Department No. VPS.2462-762-E, dated 27th August, 1962. If not, whether special reasons are given in justification of the proposal.

Please furnish information on the following points:

- a) Whether population of the proposed Village Panchayat is 600 or above.

- b) If not, whether there are exceptional reasons, such as longer distance, natural obstruction, etc.
 - c) Whether the proposed Village Panchayat will be financially viable.
 - d) Whether the proposed Village Panchayat will be in a position to incur expenditure on the establishment of sweeper, clerk or on street light, etc.
6. Whether the proposal has been recommended by the existing group/Village Panchayat and the Standing Committee of the Zilla Parishad (Please enclose copies of resolutions passed by the Village Panchayat and the Standing Committees.)
 7. Chief Executive Officer's remarks with reference to Government Orders No.VPM 1168/2654-E, dated 24th August 1968 i.e. whether the proposal for establishment of new Village Panchayats would result in grouping of one Village Panchayat in another electoral division.
 8. The date of expiry of the term of the existing Group Village Panchayat. If the term is to expire in the near future, whether proposal for its extension has been initiated. If not, whether the Collector has been apprised of the fact that the proposal for dissolution of the existing Village Panchayat and establishment of new Village Panchayats is in progress with the Commissioner.
 9. If the proposed Village Panchayat/Village Panchayats is/are to be established for hamlet/administrative unit or part of the revenue village, the following additional information should be submitted.
 - i) Name and population of each of the hamlet/ administrative unit, or part of village, as the case may be, to be included in each of the new Village Panchayat/Village Panchayats.

ii) Details of survey numbers (hamletwise/administrative unitwise, etc.) to be included in the new proposed Village Panchayat/Village Panchayats.

iii) Sketch showing the boundaries and the survey numbers to be included in the proposed Village Panchayats.

10. Whether the proposal is in accordance with the instructions laid down in Rural Development Department, Circular No.VPM 1168-8227-E, dated 22nd April,1969.

11. If the new proposed Village Panchayat is to be established for a forest village/forest villages or if the forest village/forest villages is/are to be included in the new proposed Village Panchayat comprised of revenue village/hamlets etc. the following information should be furnished,

i) Whether the forest village falls within a radius of 5 miles.

ii) Whether the population of each of the proposed Village Panchayat is 250 and more.