

In exercise of the powers conferred by sub sections (1) and (2) of sections 27 of the Madras Bhoodan Yagna Act (Madras Act XV of 1958) and after consultation with the Government of Madras, the Madras State Bhoodan Yagna Board hereby makes the following regulations:-

REGULATION-1.

Short title:- These regulations may be called the Madras Bhoodan Yagna Regulations 1961.

REGULATION-2.

Definitions: In these regulations unless the context otherwise requires:

- S -
- (a) "Adult" means any person who is not less than 21 years of age.
 - (b) "Local Committee" means a local committee constituted under the sub-section (1) of Section 15;
 - (c) "Rules" means the Madras Bhoodan Yagna Rules 1959.
 - (d) all expressions not defined in the regulations but defined either in the Act or the Rules shall have the respective meaning assigned to them in the Act, or as the case may be, the Rules.

REGULATION-3.

Membership: (a) All the adult residents of Gramdhan village, who have opted for Gramdhan, shall be the members of Sarvodaya Panchayat.

A register of such members shall be prepared, revised and brought upto date on the 31st March of every year by the Sarvodaya Panchayat.

REGULATION-4.

Old regulations 405, 8(d) and 10 deleted and existing regulations 6 to 9 and 11 to 22 renumbered as 4 to 7 and 8 to 19 and Regulations 4, 5, 6 & 8 so renumbered shall be substituted.

Approved in Government letter No. 116560/PV/69-74, dated

5-2-74.

Election of Chairman and Secretary:

i) The members of the Sarvodaya Panchayat shall elect from among themselves a Chairman and a Secretary within 90 days from the date of the formation of the Sarvodaya Panchayat.

ii) The term of the office of the Chairman and of the Secretary shall be three years from the date of election.

iii) Any casual vacancy that may arise in the office of the Chairman or Secretary shall be filled up according to sub-regulation (i) to this regulation within 30 days from the date of vacancy.

iv) The Chairman or the Secretary elected to fill up the casual vacancy shall hold the office only so long as the Chairman or the Secretary in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

v) The Chairman or the Secretary of the Sarvodaya Panchayat may at any time tender his resignation in writing to the Sarvodaya Panchayat. Such resignation should be unconditional and shall take effect only from the date on which it is accepted by the Sarvodaya Panchayat.

REGULATION-5.

Meeting of the Sarvodaya Panchayat:

The Chairman of the State Bhoodan Yagna Board or any body nominated by him shall call for the first meeting for electing the office bearers of the Sarvodaya Panchayat. The Sarvodaya Panchayat shall meet once in a month or often, if necessary to conduct the affairs of the Sarvodaya Panchayat.

REGULATION-6.

Quorum for the meeting:

The quorum for a meeting shall be one-third of the strength.

REGULATION-7.

Proceedings of the Sarvodaya Panchayat:

All the questions before the panchayat shall be decided unanimously. Should there be any difference of opinion, it shall be decided by casting lots.

- 2 -

REGULATION-8

Power of the several office bearers of the panchayat:

Subject to such resolution as the Sarvodaya Panchayat may pass from time to time the several office bearers of the panchayat shall exercise the following powers.

- a) The Chairman, shall exercise over all and general control over all the affairs of Sarvodaya Panchayat and shall be the ex-officio treasurer and shall have the custody of all the moveable properties of the Sarvodaya panchayat.
- b) The Secretary, shall subject to the control of the Chairman, be responsible for the executive administration of the Sarvodaya Panchayat.
- c) The Secretary shall be the officer to sue or be sued on behalf of the Sarvodaya Panchayat and all instruments and contracts by or on behalf of the Sarvodaya Panchayat ~~and all instruments and contracts by or on behalf of the Sarvodaya Panchayat~~ shall be in the name of the Secretary.
- d) Powers of the several office bearers of the Panchayat-- whenever the Secretary requires relief from work, it shall be competent for the Chairman to grant such relief by making such suitable arrangements as necessary for the conduct of the work by utilising the services of one or more members of the Panchayat.

REGULATION-9:

Establishment of the Sarvodaya Panchayat:

Subject to the Budget allotment sanctioned by the General body of the village, it shall be competent for the Sarvodaya Panchayat to prescribe from time to time the strength of the Establishment and the scale of pay and allowances admissible to each member thereof. All the members of the Establishment of the Sarvodaya Panchayat shall be appointed by the Chairman, Sarvodaya Panchayat, and the State Bhoodan Yagna Board shall be the controlling authority.

REGULATION 10.

Funds of the Sarvodaya Panchayat:

The funds of the Sarvodaya Panchayat may be raised in any or all of the following ways and means as resolved by the general body of the Sarvodaya Panchayat.

1. Grants, donations, gifts, subscription - Loans from the State Government, Local authority, or persons or State Board or Local Committee.

2. It may collect a levy either in cash or in kind from every family in the Gramdhan village for being utilised for purposes of common benefit to the village.

REGULATION 11.

Maximum Borrowing Power of the Sarvodaya Panchayat:

The lands gifted to the Sarvodaya Panchayat shall be valued at least once in 3 years by an Officer authorised by the Collector on this behalf. The borrowings of the Sarvodaya Panchayat shall not at any time exceed 50% of the market value of the lands gifted. Only in exceptional cases, the State Bhoodan Yagna Board may after getting the approval of the Government, grant loans to the Sarvodaya Panchayat in excess of the borrowing power. The Sarvodaya Panchayat shall arrange for repayment of the loans on the due dates.

The receipt shall be issued by the Secretary for all moneys paid to the Sarvodaya Panchayat. In the case of borrowings, the bond or agreement executed by the Sarvodaya Panchayat shall be signed by 3 members of the Sarvodaya Panchayat of whom the Chairman or the Secretary shall be one. A form of agreement to be executed in this regard is appended (Annexure I).

REGULATION 11 (a)

Management of the Gramdhan lands:

The Gramdhan lands will be managed by the Sarvodaya Panchayat as laid down in section 26 of the Madras State Bhoodan

Yagna Act 1958. The Sarvodaya Panchayat shall have power to make advances in cash or in kind to the Gramdhan families and recover the amount. The form of agreement to be executed by the borrower providing for the manner of recovery is appended as Annexure-II to these regulation.

REGULATION-11.B.

Powers of the Sarvodaya Panchayat in regard to Gramdhan lands:

Every declaration made for the donation of Gramdhan lands under Rule 8 of the Rules read with section 16 of the Madras Bhoodan Yagna Act 1958 shall also contain an undertaking that the donor shall (i) join the Sarvodaya Panchayat of the village.

ii) Contribute annually to the Sarvodaya Panchayat $1/40$ th of produce of the land in his possession or the cash value thereof.

iii) that he should surrender possession of the one twentieth of his total holdings to be specified or demarcated, to the Sarvodaya Panchayat, and from the date of declaration, he or his heirs shall have no right, title or interest in the land which shall be the undisputed property of the Sarvodaya Panchayat.

2. The Sarvodaya Panchayat will allow its members to retain possession of $19/20$ th of their holdings on behalf of the Sarvodaya Panchayat with only right of cultivation, and that the lands will not be taken away from them without their consent.

3. The members of the Sarvodaya Panchayat are liable to pay to the Panchayat, an amount equal to L.R., Rent, cesses, rates, and taxes payable in respect of the lands in their enjoyment.

4. No member will have power to transfer or create any encumbrance on the donated land after signing the declaration form.

5. Any transfer made or encumbrances created in contravention of clause 4 above, shall be void and inoperative.

6. The right of cultivation over such lands shall be

herditable but shall not be transferrable.

provided that,

- i) he may surrender his interest in such lands or any part thereof to the Sarvodaya Panchayat for consideration.
- ii) with the previous permission of the Sarvodaya Panchayat, he may transfer his interest in such lands or any part thereof to any other member of the Sarvodaya Panchayat.
- iii) he may hypothecate his interest in such lands or any part thereof in favour of the Government or any cooperative society or any other public institution for securing loan for the development of such lands.

7. If he fails to pay the Sarvodaya Panchayat the amount of contribution referred to in the declaration form or if he violates any of the conditions of the donation or grant, the Sarvodaya Panchayat shall have power to evict him from the land and to reallocate it to any other member of the Sarvodaya Panchayat.

REGULATION-11(c):

Grant of land to landless:

The Sarvodaya Panchayat shall have power to grant land donated or and vested in it for cultivation to any landless person or group of landless persons residing in the Gramdhan village (including a Co-operative Society registered under any law for the time being in force as it may deem fit).

2. Every grant of land under Regulation 11 (C) shall be subject to the following conditions.

- i) The grantee shall be liable to pay annually to the Sarvodaya Panchayat an amount equal to the Land Revenue, Rent, Cesses, rates and taxes payable in respect of the land allotted to him.
- ii) he shall have no power to transfer his interest in the land.

iii) he shall contribute annually to the Sarvodaya Panchayat 1/40th of the produce from such land or the cash value thereof.

iv) that he shall not remove trees or structures if any in the land without the previous written permission of the Sarvodaya Panchayat.

v) that the grant of the land shall be liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to fraud or misrepresentation.

For violation of any of the conditions specified above, the grant may be cancelled and the land resumed by the Sarvodaya Panchayat without payment of any compensation to the grantee.

REGULATION-12.

Budget: The Sarvodaya Panchayat shall submit to the State Bhodan Yagna Board the Budget estimate for the next year and the Revised Estimate for the current year before the 15th August of the year.

The Sarvodaya Panchayat shall assess the financial requirements of the Gramdhan village every year in advance by the end of February in respect of agricultural and allied operations such as sinking of new wells, deepening of old wells, reclamation, purchase of pumpsets, purchase of bulls, purchase of seeds and manures and cottage industries and its general working in the nature of a Budget with reference to the overall plan prepared for the development of the village. The budget should have the approval of the local committee. The Sarvodaya Panchayat shall be responsible for the proper utilisation and the timely repayment of the funds involved.

REGULATION-13.

Borrowings: The Sarvodaya Panchayat shall not borrow without the previous permission of the local committee and shall abide

by the conditions imposed by the local committee in this regard.

REGULATION-14.

Travelling allowances:

The services of the members of the Sarvodaya Panchayat shall be honorary, but they may be paid Travelling allowances for the journeys performed by them in connection with the affairs of the Sarvodaya Panchayat at the following rates, provided funds are allotted in the annual budget and available for disbursement.

1. Single III Class Railway Fare for the journey by rail plus daily allowance of Rs. 2/= per day for the absence exceeding 8 hours from the headquarters.
2. Actual bus fare for the journeys by Bus plus daily allowance.
3. Mileage at 12 Ps. per mile for the journeys not connected by bus or rail.
4. A daily allowance of Rs. 2/= per day, provided the journeys so performed exceeds a radius of 5 miles from the village where the Sarvodaya Panchayat is situated.

REGULATION-15.

Accounts of Sarvodaya Panchayat:

The Sarvodaya Panchayat shall maintain proper accounts and vouchers for the funds handled by it in addition to the following registers and records:

1. Register of lands held by the Sarvodaya Panchayat and their market value to be revised every 3 years.
2. Register showing the adult persons in the Sarvodaya Panchayat (to be prepared, revised and brought upto date on the 31st March of every year).
3. Register showing the names of the Panchayat members and the date of election and the term of office.
4. Register showing the names of the persons disqualified and the nature of disqualification.

5. Minutes Book

- 6. Receipt Book.
- 7. Voucher file.
- 8. Cash book
- 9. Personal ledger of advances made to members
- 10. Cultivation account
- 11. Borrowing Ledger.
- 12. General Ledger
- 13. Monthly statement of receipts and charges
- 14. Property register (Register of lands vested with the State Board in the area).
- 15. After the expiry of the financial year ending 31st March, the Sarvodaya Panchayat shall prepare immediately or atleast within 30 days:-
 - 1. A statement of receipts and charges for the previous year.
 - 2. A statement of income and expenditure for the previous year.
 - 3. A statement of funds available and obligation to be fulfilled. (i.e. assets and liabilities) as it stood on the last day of the previous year.
 - 4. Such other statement as may be prescribed by the Local Committee and the State Board. These statements shall be placed before the general body and sent to the Local committee and State Board.

REGULATION-16

Audit of the accounts of the Sarvodaya Panchayat:

The accounts of the Sarvodaya Panchayat shall be audited either by the Extension Officer (Cooperation) or Extension Officer (Panchayat) of the Block every year before the end of the month of May, free of cost, and a certificate issued by him together with the audited statements.

In the case of Sarvodaya Panchayat situated outside the Blocks, the nearest Block officers will attend to the audit. All Funds with the panchayat shall be deposited in a bank approved by the Government or the State Board.

REGULATION-17.

Expulsion from membership:

It shall be open for the general body to expel any member from the panchayats

i) Who dishonestly deceives the Sarvodaya Panchayat by false or fraudulent statement or in any other way.

ii) Who intentionally causes or does anything detrimental to the interest of the Sarvodaya Panchayat and (iii) who conducts himself in such a manner as to render his removal necessary in the interest of the Sarvodaya Panchayat.

The decision of the General body is final.

REGULATION-18.

Regulation for local committee:

a) The Chairman of the Local Committee shall have a general control over the administration of the local committee both general and executive;

b) The local committee shall maintain all registers prescribed for it by the State Board.

c) The accounts of the local committee shall be audited by the local fund account Department free of cost annually.

REGULATION-19.

Service conditions of the employees of the State Board and the Local Committee.

Clerks: Qualification: They should be eligible for college course

Age: Should be not less than 18 years and should not exceed 25 years.

Pay and allowances:

They will be paid according to the scale prescribed by the Government for similar posts in Government service.

Typist: Qualification: They should be eligible for college course and should have passed the Higher Grade Typewriting examination.

Age: Should be not less than 18 years and should not be more than 25 years.

Pay and allowances:

They will be paid according to the Government scale of pay for similar posts in Government service.

Last Grade Servants: Qualification:

They should be able to read and write well in Tamil.

Age: should be not less than 18 years and should not be more than 25 years.

Pay and Allowances:

They will be paid according to the scale of pay prescribed by the Government for similar posts in Government service.

Jeep Driver: Qualification:

He should hold a driving licence of a light vehicle.

Age: He should be more than 18 years of age and the age should not have exceeded 30 years.

Pay and allowances:

He will be paid according to the scale of pay for similar post in Government service.

Bhoodan Inspectors:

Qualification: They should have at least appeared for the S.S.L.C. Examination. They should have experience in Sarvodaya work.

Age: They should be not less than 18 years and not more than 25 years. In the case of Sarvodaya worker, age and qualification will be relaxed at the discretion of the Chairman State Board.

pay and allowances:

They will be paid according to the scale of pay of Lower Division Clerks in the Government service.

EXPLANATION-I: The employees of the State Board, who are appointed for the first time to the categories of Junior Assistants, Typists, Bhoodan Inspectors, and Jeep Drivers shall be on probation for a total period of two years on duty within a continuous period of three years; and in the case of promotion to a higher post, the period of probation shall be one year

on duty within a continuous period of two years.

EXPLANATION-II. The employees of the State Board shall, with effect on and from the 12th December 1968, be allowed the benefits of increments and leave as in the case of Government Servants. In the matter of emoluments, leave and privileges, they shall not be entitled to concessions or benefits in excess of those enjoyed by Government servants of equal status and standing.

Explanation-III.

The requirement of probation shall be waived in the case of those who have put in not less than three years of service in the State Board; and they shall be deemed to have completed their probation provided that their conduct has been found satisfactory by the State Board.

Explanation-IV:

The Special Officer shall be the appointing authority for the posts of Junior Assistants, Typists, Bhoodan Inspectors, Jeep Drivers and peons under the State Board. Appointment to the said posts shall be made from among the candidates selected by a Committee consisting of the Chairman, Secretary and the Special Officer. All appointments to the posts of Junior Assistants, Typists, Jeep Drivers and Peons in the State Board shall be made only from the list of candidates furnished by the District Employment Exchange concerned.

Explanation-V:

An appeal shall lie to the Chairman of the State Board against any orders of the Special Officer.

Explanation-VI:

Any employees aggrieved by the orders of the Chairman shall be entitled to prefer a revision petition to the Government within sixty days from the date of receipt of the orders of the Chairman.

ANNEXURE-I.

THIS AGREEMENT entered into this _____ day of _____ one thousand nine hundred and _____ BETWEEN THE MADRAS STATE BHOODAN YAGNA BOARD (hereinafter called "the Board" which expression shall, where the context admits, include its successors and assigns) of the one part: _____ AND THE Sarvodaya Panchayat, a Sarvodaya Panchayat, constituted under the Madras Bhoodan Yagna Act 1958 (Madras Act XV of 1958) having its registered office at _____ herein after called " THE SARVODAYA PANCHAYAT" which expression shall, where the context admits, include its successors and assigns) of the other part:

WHEREAS the Sarvodaya Panchayat has applied to the Board for an advance of a sum of Rs. _____ for the purchase of pumpsets/agriculture implements/Bulls/Sheep for the purpose of Bee keeping/Poultry farming/Handloom weaving and for deepening of wells and for sinking of new wells.

AND WHEREAS the Board has agreed to advance the said sum on and subject to the terms and conditions hereinafter contained NOW THIS INDENTURE WITNESSETH AS FOLLOWS:

1. In consideration of the sum of Rs. _____ (Rupees _____ only) now advanced and paid by the Board to the Sarvodaya Panchayat (receipt whereof the Sarvodaya Panchayat both hereby acknowledged) the Sarvodaya Panchayat convenants with the Board that the Sarvodaya Panchayat shall duly and punctually repay the Board the said sum of Rs. _____ (Rupees _____ only) by equal annual payments of the sum of Rs. _____ (Rupees _____ only) during the period of _____ years, the first of such payments to be made on the _____ day of _____ One thousand nine hundred and _____

and the subsequent payments to be made on the
day of _____ in each subsequent year.

2. The Sarvodaya Panchayat shall utilise the amount advanced under these presents only for the purpose herein before stated.

3. The Sarvodaya Panchayat shall at all times, and from time to time furnish to the Board such information as it may, from time to time, required by notice in writing.

4. If it shall be proved to the satisfaction of the Board that the whole or any part of the amount hereby advanced has not been utilised by the Sarvodaya Panchayat for the purpose herein before stated or if the Sarvodaya Panchayat shall be guilty of any breach or nonobservance of all or any of the covenants and conditions herein contained and to be performed and observed by the Sarvodaya Panchayat, then and in any such case and without prejudice to the Board's other rights and remedies arising on such default, and notwithstanding anything herein contained to the contrary the total amount due under these presents shall forthwith become payable, and it shall be lawful for the Board or its duly authorised agents and servants at any time thereafter in addition to and without prejudice to the other rights and remedies of the Board, to recover any amounts that may from time to time be due and payable by the Sarvodaya Panchayat as if it were an arrear of land revenue under the provisions of the Madras Revenue Recovery Act 1864 (Madras Act II of 1864).

IN WITNESS WHEREOF

the three members including the Secretary
of the Sarvodaya Panchayat acting for and on behalf of the

p.t.o....15....

Sarvodaya Panchayat and Sri _____ the Chairman,
acting for and on behalf of the Board hath hereunto set their
hands.

Signed by the above named

1. Secretary of the Sarvodaya M Panchayat

2.

3.

In the presence of

Witnesses:-

1.

2.

Signed by the above named

in the presence of

CHAIRMAN,
THE MADRAS STATE BHODAN YAGNA BOARD
Seal of the Board has here unto
been affixed.

Witnesses:

1.

2.

ANNEXURE-II.

வெண்கிலை ஜாயீக் பத்திரம்

19.....ம் வருடம் மாதம் தேதி
 ஜில்லா..... தாலுகா.....
 அபிவிருத்தி..... அராமத்தில் கீதாபிக்கப்பட்டிருக்கும்
 அராமதாக சர்லோதய பஞ்சாயத்து தலைவர்
 அவர்களுக்கு கை அராமத்தில் வசிக்கும்..... ஜீலகம்
 குமாரரும் சர்லோதய பஞ்சாயத்தின்..... நிர்.
 மெம்பருமாக சுமார் வயதுள்ள (1) கை
 அராமத்தில் வசிக்கும்..... ஜீலகம்.....
 குமாரரும் கை சர்லோதய பஞ்சாயத்தின்..... நிர்.
 மெம்பருமாக சுமார் வயதுள்ள.....
 (2) கை அராமத்தில் வசிக்கும்..... ஜீலகம்
 குமாரரும் கை சர்லோதய பஞ்சாயத்தின் நிர்.....
 மெம்பருமாக சுமார்..... வயதுள்ள..... (3)
 இந்த மூன்று நபர்களும் ஏகோபித்து எழுதிக்கொடுத்த வெண்கிலை ஜாயீக்
 கட்டப் பத்திரம் .

(2) எங்களில் 1வது வக்கதார்.....
 நாளைது தேதியில் கை சர்லோதய பஞ்சாயத்திலிருந்து
 அடியிற்கண்ட பஞ்சாயத்தார்கள் முக்கிலையில் ரூபாய்.....
 காரியத்திற்காகக் கட்டுகப் பெற்றுக் கொண்டார். இந்த ரூபாய்.....க்கு
 வருடம் ஒன்றுக்கு ரூ.100/- (நூறுக்கு) ரூ.... சதவீதம் ஆகக் கரும்
 வட்டியையும் அசலையும்..... காலத்திற்குள் அடியிற்கண்ட குறித்துள்ள
 தவணைகளைப்படி சிலா சிலாவாசலாவது ஒரே மொத்தமாகவாவது கொடுத்து
 கட்டிக் பூர்த்தியாய் கை தவணைக்குள் தீர்ந்து விடுகிறோம். தவணைப்படி
 அசலையோ, வட்டியையோ, செலுத்தத் தவறாமல், தவணை கடந்த தேதி
 முதல் செலுத்தும் தேதி வரையில் வருடம் ஒன்றுக்கு ரூ.100/- (நூறுக்கு)
 சதவீதம் வட்டி சேர்த்துக் கொடுப்போமாகவும், மேலும்
 தவணைப்படி செலுத்தத் தவறியதற்கான இந்தக் கணக்கை முடிவு கட்டிய
 தேதி முதல் கட்டி தொகை வசூலாகும் தேதிவரையில் வருடம் ஒன்றுக்கு
 ரூபாய் 100/- (நூறுக்கு)..... சதவீதம் வட்டி சேர்த்துக் கட்டி அசல்,

வட்டி, செலவு முதலியனகூடையும் எங்களாலும் எங்கள் சங்கம் கீதாவர
 பொதுக்கூலியும் பங்கு வீதம் இல்லாமல் எங்கள் யார் ஒருவர் இடத்திலிருந்
 தாவது அல்லது எங்கள் எல்லோரிடத்திலிருந்தாவது முன்பி்ளி என்ற விதிதாசாரம்
 இல்லாமல் சட்டப்படி வசூல் செய்து கொள்ள நாங்கள் சம்மதிக்கிறோம்.

தவணை விபரம்

வருடம்

மாதம்

தேதி

அசல்

வட்டி

1.

2.

(3) நாங்கள் சர்வோதய பஞ்சாயத்தின் இப்பொழுது இருக்கும்
 விதிகளுக்கும் இனி ஏற்படும் விதிகளுக்கும் அடங்குபட்டவர்கள்,

தகவொப்பம்

1.

2.

3.

பஞ்சாயத்தார்கள்.

சாட்சிகள்

சாட்சிகள்

1.

2.

Sd/- S.R. Bhupathi,
 Chairman,
 State Bhoodan Board, Madurai.

/true copy/by order/

For CHAIRMAN,
 STATE BHOODAN YAGNA BOARD,
 MADURAI,

20/7/76