



राजस्थान राज-पत्र
विशेषांक

RAJASTHAN GAZETTE
Extraordinary

साधिकार प्रकाशित

Published by Authority

भाद्र 24, बुधवार, शाके 1932-सितम्बर 15, 2010
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भाग 4 (क)

राजस्थान विधान मंडल के अर्धनियम।

विधि (विधायी प्रारूपण) विभाग

(ग्रुप-2)

अधिसूचना

जयपुर, सितम्बर 15, 2010

संख्या प.2 (32) विधि/2/2010.-राजस्थान राज्य विधान-मण्डल का निम्नांकित अर्धनियम, जिसे राज्यपाल महोदय को अनुमति दिनांक 13 सितम्बर, 2010 को प्राप्त हुई, एतद्वारा सवसाधारण का सूचनाथ प्रकाशित किया जाता है:-

राजस्थान पंचायती राज (द्वितीय संशोधन) अर्धनियम, 2010

(2010 का अर्धनियम संख्यांक 21)

[राज्यपाल महोदय को अनुमति दिनांक 13 सितम्बर, 2010 को प्राप्त हुई]

राजस्थान पंचायती राज अर्धनियम, 1994 को और संशोधित करने के लिए अर्धनियम।

भारत गणराज्य के इकसठव वष म राजस्थान राज्य विधान-मण्डल निम्नलिखित अर्धनियम बनाता है, अथात्:-

1. **संक्षिप्त नाम और प्रारम्भ.**-(1) इस अर्धनियम का नाम राजस्थान पंचायती राज (द्वितीय संशोधन) अर्धनियम, 2010 है।

(2) यह तुरन्त प्रवृत्त होगा।

2. **1994 के राजस्थान अर्धनियम सं. 13 को धारा 91-क का अंतःस्थापन.**-राजस्थान पंचायती राज अर्धनियम, 1994 (1994 का

अर्धनियम सं.13), को विद्यमान धारा 91 के पश्चात् निम्नलिखित नयी धारा अन्तःस्थापित की जायेगी, अर्थात्:-

"91-क जिला कार्यक्रम समन्वयक और कार्यक्रम अधिकारी को अनुशासनिक शक्तियां.-(1) इस अर्धनियम या तत्समय प्रवृत्त किसी भी अन्य विधि में अन्तर्विष्ट किसी बात के होने पर भी,-

(क) पंचायती राज संस्था के मुख्य कार्यपालक अधिकारी से भिन्न समस्त अधिकारियों और कमचारियों के मामले में, चाहे वे ऐसी पंचायती राज संस्था द्वारा नियुक्त किये गये हों या राज्य सरकार द्वारा, जिला कार्यक्रम समन्वयक को; और

(ख) पंचायती राज संस्था के ब्लॉक और ग्राम स्तर पर, धारा 79 में निर्दिष्ट अधिकारियों से भिन्न अधिकारियों और कमचारियों के मामले में, कार्यक्रम अधिकारी को,

महात्मा गांधी राष्ट्रीय ग्रामीण रोजगार गारंटी स्कीम के अधीन या केन्द्रीय सरकार या राज्य सरकार का किसी भी अन्य स्कीम के अधीन उन्हें समनुदेशित कर्तव्यों और कृत्यों के संबंध में ऐसे अधिकारियों या कमचारियों द्वारा कारित अवचार के संबंध में ऐसे अधिकारियों और कमचारियों के विरुद्ध अर्धोपलब्ध के अर्थ में

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(2) - (1) के अर्थ में, -
 सिविल (अर्थ में, अर्थ में)
) अर्थ में, 1958 अर्थ में 13, 14, 16, 17 18

- श्री
- सूचना
- (i) "क्रान्त" त राष्ट्रीय ग्र
 1 फि 2005 (2005 केन्द्रीय
 42) परिभाषित क्र
 न फि प्रे केन्द्रीय ज
 1 फि सा रु
 फि फि फि
- (ii) "कायक्रम अधिकारो" त गांधी राष्ट्रीय ग्र
 1 अधिनियम, 2005 (2005 का केन्द्रीय
 फि 42) म यथा परिभाषित कायक्रम अधिकारो
 अभिप्रेत है और इसम केन्द्रीय ज 1
 किसी योजना म या उसके अधीन इस रूप फि
 कोई अधिकारो सम्मिलित है
- (iii) " त राष्ट्रीय ग्र 1 सा " ,
 त राष्ट्रीय ग्र 1 फि ,
 2005 (2005 केन्द्रीय फि 42) 1 4
 1 - (1) ज द फि
 सा फि प्रे "

प्रमुख शासन सचिव।

**LAW (LEGISLATIVE DRAFTING) DEPARTMENT
(GROUP-II)
NOTIFICATION**

Jaipur, September 15, 2010

No. F. 2 (32) Vidhi/2/2010.—In pursuance of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Panchayati Raj (Diviteeya Sanshodhan) Adhiniyam, 2010 (2010 Ka Adhiniyam Sankhyank 21) :—

(Authorised English Translation)

**THE RAJASTHAN PANCHAYATI RAJ (SECOND
AMENDMENT) ACT, 2010**

(Act No. 21 of 2010)

**[Received the assent of the Governor on the 13th day of
September, 2010]**

An

Act

further to amend the Rajasthan Panchayati Raj Act, 1994.

Be it enacted by the Rajasthan State Legislature in the Sixty-first Year of the Republic of India, as follows:—

1. Short title and commencement.—(1) This Act may be called the Rajasthan Panchayati Raj (Second Amendment) Act, 2010.

(2) It shall come into force at once.

2. Insertion of section 91-A, Rajasthan Act No. 13 of 1994.—After the existing section 91 of the Rajasthan Panchayati

Raj Act, 1994 (Act No. 13 of 1994), the following new section shall be inserted, namely:—

“91-A. Disciplinary powers of District Programme Coordinator and Programme Officer.—(1) Notwithstanding anything contained in this Act or any other law for the time being in force,—

- (a) in the case of all the officers and servants, other than the Chief Executive Officer, of a Panchayati Raj Institution, whether appointed by such Panchayati Raj Institution or the State Government, the District Programme Coordinator; and
- (b) in the case of all the officers and servants, other than the officers referred to in section 79, of a Panchayati Raj Institution at block and village level, the Programme Officer—

shall have power to conduct disciplinary proceedings against, and to inflict punishment on, such officers and servants in respect of the misconduct committed by such officers or servants in connection with the duties and functions assigned to them under the Mahatma Gandhi National Rural Employment Guarantee Scheme or under any other scheme of the Central Government or the State Government :

Provided that no person shall be dismissed or removed from service in exercise of the powers under this sub-section unless the authority exercising power under this sub-section is appointing authority of such person.

(2) Subject to the provisions of sub-section (1), rules 13, 14, 16, 17 and 18 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, as amended from time to time, shall apply to the disciplinary

proceedings and punishment under this section with such modifications as may be necessary including the modification that references to appointing authority or disciplinary authority therein shall be construed as including reference to the District Programme Coordinator and the Programme Officer.

(3) An appeal may be preferred—

(a) against an order made by the Programme Officer to the District Programme Coordinator; and

(b) against an order made by the District Programme Coordinator to the State Government.

(4) An appeal may be preferred under sub-section (3) within a period of ninety days from the date of the order appealed against and the time taken for obtaining a copy of such order shall be excluded from the said period.

(5) Every order made by the District Programmed Coordinator or the Programme Officer shall be endorsed and communicated immediately to the appointing authority and to the officer to whom the officer or servant, against whom order is made, is subordinate and such superior officer shall be bound to execute such order.

(6) For the removal of doubts it is hereby clarified that nothing in this section shall be construed as diminishing the powers of any other disciplinary authority under this Act or any other law for the time being in force, however, if any action has been initiated or taken against any officer or servant under this section, no action shall be initiated or taken by any other authority on the basis of same facts or conduct.

Explanation.—For the purposes of this section,—

- (i) “District Programme Coordinator” means the District Programme Coordinator as defined in the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Central Act No. 42 of 2005) and includes an officer designated as such in or under any scheme of the Central Government or the State Government;
- (ii) “Programme Officer” means the Programme Officer as defined in the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Central Act No. 42 of 2005) and includes an officer designated as such in or under any scheme of the Central Government or the State Government; and
- (iii) “Mahatma Gandhi National Rural Employment Guarantee Scheme” means the Scheme notified by the State Government under sub-section (1) of section 4 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Central Act No. 42 of 2005).”.

कपिल भार्गव,

Principal Secretary to the Government.