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The Rajasthan Panchayati Raj Act, 1994

(Excerpts - water supply and sanitation provisions)

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RAJASTHAN PANCHAYATI RAJ ACT, 1994

CHAPTER II - WARD SABHA

3. Ward Sabha and its Meetings

(1) Every ward of the Panchayat as determined in accordance with the provisions of the Sub-sec. (2) of Sec. 12 shall have a Ward Sabha consisting of all adult persons of the Ward in a Panchayat circle.¹

7. Functions of the Ward Sabha

The Ward Sabha shall perform the following functions:

(e) suggesting the location of public utilities, amenities and services like street lights, community water taps, public wells, public sanitation units, irrigation facilities etc.

CHAPTER IIA - GRAM SABHA

8A. Gram Sabha and its Meetings

(1) There shall be a Gram Sabha for each Panchayat Circle consisting of the persons registered in the electoral rolls relating to the village or the group of villages comprised within the area of the Panchayat.

8E. Functions of the Gram Sabha

The Gram Sabha shall, subject to such conditions and upto such extent and in such manner as may be specified by the State Government from time to time, perform the following functions:

(k) planning and management of minor water bodies.

CHAPTER III - PANCHAYATI RAJ INSTITUTIONS

19. Qualification for election as a Panch or a member- Every person registered as a voter in the list of voters of a Panchayati Raj Institution shall be qualified for election as a Panch or, as the case may be, a member of such Panchayati Raj Institution unless such person:²

(q) does not have a functional sanitary toilet in the house and any of his family members defecate in the open.”;

Explanation II: For the purpose of the clause (q) of this section-

(i) “sanitary toilet” means a water sealed toilet system or setup surrounded by three walls, a door and a roof; and

(ii) “family members” means spouse of such person, children and his parents living with such person.”.

1 S. 12 (2): The State Government shall, in accordance with such rules as may be framed in this behalf, determine the number or wards for each Panchayat Circle, and thereupon so divide the Panchayat Circle into single member wards that the population of each ward is, so far as practicable, the same throughout the Panchayat Circle.

2 Rajasthan Panchayati Raj (Amendment) Ordinance, 2014.

55-A. Standing Committees of a Panchayat

(1) Every Panchayat shall constitute standing committee, one each for the following group of subjects, namely:

(c) development and production programmes, including those relating to agriculture, animal husbandry, minor irrigation, co-operation, cottage industries and other allied subjects;

(e) social services and social justice including rural water supply, health and sanitation, gramdan, communication, welfare of weaker sections and allied subjects.

65. Taxes which may be Imposed by a Panchayat

(1) Subject to the rules and any orders made by State Government in this behalf, a Panchayat may impose one or more of following taxes, namely:

(e) a tax for arranging the supply of drinking water within the Panchayat Circle.

69. Power of a Zila Parishad to Impose Taxes and Fees

Subject to such maximum rates as the Government may prescribe, a Zila Parishad may levy:

(b) water rate, where management for the supply of water for drinking, irrigation or any purpose is made by the Zila Parishad within its jurisdiction.

CHAPTER IV - POWER OF THE STATE GOVERNMENT ETC.

104. Power of the Panchayats to Frame Bye-laws

(1) Subject to the provisions of this Act and the rules made thereunder, a Panchayat may frame bye-laws consistent with any bye-laws made under Sec. 103:

(a) to prohibit the removal or use of water for drinking purposes from any source which is likely to cause danger to health and to prohibit the doing of anything likely to contaminate any source of drinking water;

(b) to prohibit or regulate the discharge of waste from any drain or premises on a public street or into a river, pond, tank, well or any other place;

(c) to prevent damage to public streets and Panchayat property;

(d) to regulate sanitation, conservancy and drainage in its Panchayat Circle;

(f) to regulate the manner in which tanks, ponds, cesspools, pasture lands play grounds, manure pits, land for disposal of dead bodies and bathing places shall be maintained and used;