

ASSAM PANCHAYAT (AMENDMENT) ACT, 1959

The 23rd 1960 following Act of the Assam Legislative Assembly, which received the assent of the Governor is hereby published for general information. (Received the assent of the Governor on the 16th February 1960) ASSAM ACT No. 19 OF 1960 XSS M (passed the Bill) passed in the Assam Legislative Assembly on the 24th February 1960. Extraordinary dated the 24th February 1960. For title, at, and part. February to amend the Assam Panchayat Act, 1950 A, and the Assam Act WHEREAS it is expedient to amend the Assam Act No. XXIV hereinafter called Panchayat Act, 1939 the principal of 1959. Act, in the manner hereinafter appearing ; It is hereby enacted in the Year of the Republic of India as follows: (1) This Act may be called the Assam Panchayat (Amendment) Act, 1959. (2) It shall have the like extent as the Principal Act. (3) It shall be deemed to have come into force on the 1st day of October, 1959. Section 14 of the Principal Act, shall be deleted. In the Assam Act of 1959, Amend of Section 150 of Assam Act XXIV 1959. 2 3. [In Section 150 of the Principal Act, (1) in the heading, between the words 'the' and 'Anchalik Panchayat' the words 'Gaon Panchayat' shall be inserted. (2) for the word 'an' occurring between the words 'employee of' and 'Anchalik Panchayat' the words 'the Gaon or' shall be substituted, (3) in the second and third provisions the word wherever it occurs be substituted. words 'an' 'member of' and 'Anchalik Panchayat', the words 'the Gaon or' shall be substituted. Amendment 4. In section 162 of the Principal Act, of section 162 of Assam Act XXIV 1959 (1) after clause (b), the following shall be inserted, namely: "(bb) for the purposes of clause (b), all Primary Panchayats and Executive Committees of the Primary XXVII Panchayats constituted under the Assam Rural Panchayat Act, 1948 whose terms of office have expired but, notwithstanding such expiry, continued to function till before the commencement of this Act shall be deemed always to have been validly constituted and functioning under the Assam Rural Panchayat Act, 1948 (2) after clause (h), the following shall be inserted, namely:— (hh) the Rural Panchayats constituted under the Assam Rural Panchayat Act, 1940, whose terms of office have expired but, notwithstanding such expiry, continued to function till before the commencement of this Act shall be deemed to be existing Rural Panchayats for the purpose of clause 5). In sub-section (2) of section 16, of the Principal Act, after clause (2) of section 163 of the Assam Compensatory Grants (Charged) Act, 1953" Assam Act the words the Assam Local Authorities Grants XXIII XXIV of (Charged) Act, 1959" shall be substituted

1959. Insertion of 6. After section 164 of the Principal Act, new sections following shall be inserted, namely 164A and 164B in Assam Act XXIV of 1959. 'Constitution 164A. (1) The State Government may, by order, declare and constitute an Ad-hoc Anchalik Panchayat Committee consisting of such persons as the State Government may nominate in this Constitution for the purpose of the Mohkuma Parishad Committee. 3. In behalf for each Anchalik Panchayat notified under Section 5 of this Act which shall function as the Anchalik Panchayat for the purposes of this Act, with effect from such date as may be specified in the notification till the Anchalik Panchayat is constituted in accordance with the provisions of this Act. (2) The State Government may nominate one of the members as the President and another of such members to be the Vice-President of the Ad-hoc Anchalik Panchayat Committee. (3) The Ad-hoc Anchalik Panchayat Committee shall have an Office and an Executive Officer appointed by the State Government who shall be the Ex-Officio Secretary and shall be responsible for its due maintenance. He shall, subject to the control of the President, carry out resolution and direction of the Ad-hoc Anchalik Panchayat Committee. 164B. (1) The State Government may, by notification, declare and constitute for each subdivision and where there is no subdivision, in each district an Ad-hoc Mohkuma Parishad Committee consisting of such persons as the State Government may nominate in this behalf which shall function as the Mohkuma Parishad for the purposes of this Act, with effect from such date as may be specified in the notification till the Mohkuma Parishad is constituted in accordance with the provisions of this Act. (2) The Deputy Commissioner or the Subdivisional Officer, as the case may be, shall be the Ex-Officio President of the Ad-hoc Mohkuma Parishad Committee. (3) The State Government may nominate one of the members as the Vice-President of the Ad-hoc Mohkuma Parishad Committee. (4) An Ad-hoc Mohkuma Parishad Committee shall have an office and a Secretary appointed by the State Government who shall be responsible for the due maintenance of the office of the Ad-hoc Mohkuma Parishad Committee. He shall, subject to the control

of the President, carry out the {unction of such Committee." 7. For section 165 of the Principal Act, the following Substitution of Section 165 shall be substituted, namely: Of Assam Act xxxv 1959. 't Effect repeal, of 165. (1) From the dace IIIC Asgam Local SelßGove1%11- Act XXV of ment Act, 1953 is repealed under subsection (1) of Sec• 1 953 lion 163 of this Act, all the assets including the Local .1 4 Board Fund belonging to any Local Board and such other liabilities as may have been incurred in the discharge of the legitixnate 'iünction by such Hoard, established under the Act repealed, shall vest in the Deputy sioner or the Subdivisional (officcr, as the. case Inay 'be, who shall hold the assets in trust, until these are Inade over in accordance with the order of the State Govern- ment or such officer or officers as the State Government may appoint in this behalf, to the Molikuma Parishad or to the Anchalik Panchayat or Io .the Ad hoc Mohkuma Parishad Committee or to the fid-hoc Anchalik Pancha- yat Committee or to the Gaon Panchayat established under this Act in the area over which the, Local Board, Io whom the assets belonged had jurisdiction. (2) 'itill such date a3 the assets and the liabilities of the Local Board are made over in accordance with sub-section(1), the Deputy Commissioner or rhe Subdi- visional Officer, as the case may be, Shal)) notwithstanding the repeal or the Assam Local Self-Governrment Act, 1953, perforxn and exercise all duties and powers assigned to the Board under Ihe Acl so repealed." I'tepeal and \$. (1) The Assam Panchayat (Ainell(Iljnent) Ordi- Assam Ordi. Savings nance NO.V nance, i 959 is hereby repealed. of (2) Notwithstanding such repeal, anything done or any action taken in. the ekerci.sc of any powers by or under said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act* as if this Act were in force on the (latc on which such thing was done or action was taken. B. C. BARUA, of Assa[il. Law Deplt. s,ecy. the (Govt

