

ASSAM PANCHAYAT (AMENDMENT) ACT, 1960

42 ASSAM ACT No.VI OF 1961 THE ASSAM PANCHAYAT (AMENDMENT) ACT, 1960 Received the assent of the Governor on the 30th March 1961 in the Assam Gazette, Extraordinary, dated the 30th March 1961 An Act to amend further the Assam Panchayat Act, 1959 Preamble. WHEREAS it is to amend further Assam the Assam Panchayat Act, 1959, hereinafter called the Principal Act, in the manner hereinafter appearing ; It is hereby enacted in the Eleventh Year of the Republic of India as follows :— (1) This Act may be called the Assam Short title, 1. extent and Panchayat (Amendment) Act, 1960. commencement. (2) It shall have the like, extent as the Principal Act. (3) It shall come into force at once

2. In Section 11 of the Principal Act, Amendment of Section 11 (1) the full stop at the end of sub-section (3) shall be deleted and the words and the 1959. "from the date of the first meeting of the Gaon Panchayat" added. (2) after (3) as so amended, the following proviso shall be added, namely : "Provided that the term of the office fixed under this section shall be held to include any period which may elapse between the expiration of the said period and the date of the first meeting of the Gaon Panchayat newly constituted at which a quorum shall be present. When a Gaon Panchayat is thus duly constituted the old Gaon Panchayat shall stand dissolved". (3) after subsection (3), the following shall be inserted as sub-section (4) and the existing sub-section (4) shall be re-numbered as sub-section (5), namely— "(4) The representative or representatives elected to the Anchalik Panchayat from a Gaon Sabha under Section 17 (1) (i) of this Act shall be ex-officio member or members of the Gaon Panchayat of that Gaon Sabha". Amendment 32 In Section 16 of the Principal Act, of Section 16 of Assam Act XXIV of 1959. (1) in sub-section (1), the words or co-opted" shall be inserted between the words elected" and and". (2) after sub-section (2), the following shall be inserted as sub-section (3), namely : e (3) The representative or representatives to the Anchalik Panchayat who are eligible to be ex-officio member or members of the Gaon Panchayat under sub-section (4) of Section 11 of this Act shall have the right to attend all meetings and participate in the discussions of the Gaon Panchayat but shall have no right to vote". Amendment 4. In Section 17 of the Principal Act, of Section 17 of Assam Act XXIV of (1) the existing sub-section (2) shall be re-numbered as sub-section (2) (i) and the following shall be inserted as sub-section (2) (ii), namely : e (2) (ii) The Anchalik Panchayat shall co-opt one woman member from within the area of its jurisdiction, if no woman is elected to the Anchalik Panchayat". Substitution 5. For Section 18 of the Principal Act, of section 18 following shall be substituted, namely : of Assam Act XXIV of 1950. the 18. When the constitution of an Anchalik Panchayat under Section 17 is complete the Deputy and the Vice-Commissioner or the Subdivisional Officer, as President of the case may be, shall call a meeting of the Anchalik Panchayat (which meeting shall be called the first meeting of the Anchalik Panchayat) for the election of a President and a Vice-President and the members of an Anchalik Panchayat in the manner prescribed". 5 Substitution i Section 19 of Assam Act XXIV of 1959. "Term of office of the President, Vice-President and members of an Anchalik Panchayat, Amendment 44 6. For Section 19 of the Principal Act, following shall be substituted, namely 19. The term of office of the President, the Vice-President and the members of an Anchalik Panchayat shall be three years from the date of the first meeting of the Anchalik Panchayat under Section 18 • Provided that the term of the office fixed under this section shall be held to include any period which may elapse between the expiration of the said period and the date of the first meeting of the Anchalik Panchayat newly constituted. When an Anchalik Panchayat is thus duly constituted and called to meet for the first time the old Anchalik Panchayat shall stand dissolved : Provided further that the term of the office of a member elected or co-opted, the President or the Vice-President to fill up a casual vacancy shall be the remainder of the term of office of the member, the President or the Vice-President whom he replaces"

7. In Section 22 of the Principal Act, in sub-section (1) after the existing proviso the following of Assam Act XXIV of 1959 shall be added as the second proviso, namely : e Provided further that if no woman is a member, the Mohkuma Parishad shall co-opt one woman as member from within the area of its jurisdiction"

8. In Section 23 of the Principal Act—(1) for Al' endment of Section 23 sub-section (1), the following shall be substituted— of Assam Acted, namely : XXIV of 1959. 23. (1) When the constitution of a Mohkuma Parishad under Section 22 is complete, the Vice-Pre-Deputy Commissioner or the Subdivisional Officer, as the case may be, shall call a meeting of the Standing Mohkuma Parishad (which meeting shall be Committee. called the first meeting of the Mohkuma Parishad), for the election of a President and a Vice- President from amongst its members in the manner prescribed, 45 (2b) The Mohkuma Parishad, in a meeting, may form such number of Standing Committees as may be deemed necessary with the President as the Chairman and with such powers and functions as may be prescribed". (2) the existing sub-section (2) shall be re-numbered as sub-section (3) . Substitution 9. For Section 24 of the Principal Act, the following shall be substituted, namely :— of Assam Act XXIV of 1959. c' term of 24. (1) The term of office of the President, the Office Of the Vice-President and the members of a Mohkuma Parishad shall be three years from the date of Vice-Presi— dent and the first meeting of the Mohkuma Parishad : members of a Mohkuma Provided that the term of the office fixed under Parishad. this section shall be held to include any period which may elapse between the expiration of the said period and the date of the first meeting of the Mohkuma Parishad newly constituted. When a Mohkuma Parishad is thus duly constituted and it meets for, the first time, the old Mohkuma Parishad shall stand dissolved : Provided further that the term of office of a member, the President or the Vice-President as the case may be, to fill up a casual vacancy shall be the remainder of the term of office of the member, the President or the Vice-President whom he replaces. (2) No person shall be entitled to continue as a member of a Mohkuma Parishad under clauses (i), (ii) and (iii) of sub-section (1) of Section 22, if he ceases to be— (a) the President of the Anchalik Panchayat ; or (b) the member of the Parliament or the State Legislative Assembly, as the case may be ; or (c) The Chairman of the Municipality or the Town Committee or the School Board, as the case may be. (3) No person appointed by virtue of his office under clause (iv) of sub-section (1) of Section 22, shall continue as a member of a Mohkuma Parishad, if he ceases to hold the office", 46 10. In Section 33 of the Principal Act,— Amendment of Section 33 of Assam Act (1) In the marginal notes the full-stop after XXIV of the words "Gaon Panchayats" shall be deleted 1959. ecor Anchalik and the words and the full stop Panchayats" shall be added. (2) after the words "Gaon Panchayat" in the third line the comma shall be deleted and the words and the comma before all 0 Anchalik Panchayat" shall be added. the 11. For Section 49 of the Principal Act, Substitution of Section 49 following shall be substituted, namely . of Assam Act XXIV of 1959. "Appoint- ment of Committees. Substitution of Section 49- (1) Subject to the prescribed conditions, Gaon Panchayat or an Anchalik Panchayat may appoint Committees with powers to co-opt members to assist it in the discharge of any specified duty or class of duties and may delegate to such Committees any of its powers as may be deemed necessary. (2) The President and the Secretary of the Gaon Panchayat or the President and the Executive Officer of the Anchalik Panchayat, as the case may be, shall be members of each of the Committees of the Gaon Panchayat or the Anchalik Panchayat, as the case may be. (3) The term of the office of the members of the Committees shall be decided, by the Gaon Panchayat or the Anchalik Panchayat". 12. For Section 165 of the Principal Act, the 165 of Assam following shall be substituted, namely :— Act XXIV of 1959. 165. (1) From the date the Assam Local Self-Government Act, 1953 is repealed under XXV repeal. 1958 sub-section (1) of Section 103 of this Act, all the assets including the Local Board Fund belonging to any Local Board shall vest in the Deputy Commissioner or the Subdivisional Officer, as the case may be, who shall hold the assets in trust and perform and exercise all such duties and powers as assigned to the Board under the Act repealed until these are made over in accordance with the order of the State Government or such Officer or Officers as the State Government may appoint in this behalf, to the Mohkuma Parishad or to the Anchalik Panchayat or to the Ad-hoc Mohkuma Parishad Committee or to the Ad-hoc Anchalik Panchayat Committee or to the Gaon Panchayat established under this Act in the area over which the Local Board, to Whom the assets belonged, had jurisdiction, (2) On such vesting of the assets as provided in sub-section (1). the liabilities of the Local Board, if any, incurred in the course of performing any legitimate function by such Board shall be discharged and transferred to the Deputy Commissioner or to the Subdivisional Officer, as the case may be". ASSAM ACT No. V11 OF 1961 THE ASSAM APPROPRIATION (No. III) Act', 1961 Received the assent of the Governor on the 31st March 1961 [Published in the Assam Gazette, Extraordinary, dated the 31st March 1961] An Act to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Assam

services of the year ending on the thirty-first day of March, 1962 It is hereby enacted in the Twelfth Year of the Republic of India as follows (1) This Act may be called the Assam Appropriation (No. III) Act, 1961. (2) This Act shall come into force with effect from 1st April, 1961

2. From and out of the Consolidated Fund of the State of Assam there may be paid and applied from and sums not exceeding those specified in column (3) of out of the the Schedule amounting in the aggregate to the sum of Seventy-one crores, one lakh and twenty-six thousand rupees towards defraying the several charges of the State of Assam for which will in course of payment during the financial year ending on the thirty-first day of March, 1962 in respect of the services specified in column (2) of year, 62, the Schedule

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Assam by this Act, shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the thirty-first day of March, 1962.

