

ASSAM PANCHAYATI RAJ (4TH AMENDMENT) ACT, 1976

52, No. 52, Registered The Assam Gazette EXTRAORDINARY PUBLISHED BY AUTHORITY 19 fir, 1976, 29 qt5t, 1892 Dispur, • Wednesday, May 19th, 1976, 29th Vaisakha, 1898 (S. E.) GOVERNMENT OF ASSAM -ORDERS BY THE GOVERNOR LAW DEPARTi[ENT NOTIFICATION TheA7th May 1976 No.LJL.111/76/12.—The following öct of the Assam Legislative Assembly which received the assent of the Governor is hertby publisbed for. genprai iÅfCrmatien. 1, 326 THE ASSAM GAZETTE EXTRAORDINARY, MAY 19, 1970). ASSAM ACT Vili OF •1976 1976) (Received the agsent of the Governor of Assam on Pith May, THE ASSAM PANCHAYATI RAJ (FOURTH AMENDMENT) 1976 Act further to amend the Assam Panchayati -Raj Act, 1972. Preamblé* Whereas if is expedient further-to amend the. Assam Panchayati Raj Act, 1972 hereinaftef called the princi- pal Act, in the manner hereinafter appeariég ; It is hereby enacted in, the Twenty Seventh year of the Republic of India as follows Short title, 1. (1) This Act may be called the Assam Panchayati e Xtent and Raj • (Fourth Amendment) Act, 1976. commence' snent. (2) It shall have like extent •as the principal Act. (3) It shall be deemed to have come' into force with effect from 29th April, 1974.

2. In Section 2 of the principal Ac:t, in sub-section Amendment of Seclion (11), the semi-colon' et(;) "at the end- shall be subs- 2 of Assam* :tituted by a full stop 0(.)" and thereafter the following Act. X1 of shall be added namely 1973. "Such Ex-Oficio members or Councillors shall have, no right to attend the meeting of the Gaon Panchayat or the Mohkuma Parishad held for the -purpose of electing its office bearers)'. In Section 9 of the • pfincipal Act; in sub-section Amendment of, Section 9 of Assam Act(l), in clause (e) between the words R{ornninate" and XI of 1973. teone" the words the manner. prescribed" shall be deleted

4. Tn Section 10 of the principal Act, in suh-section •Amendment of Section IO (1) ithe words "such members from ambngst themselves ofAssam Actin the emanner prescribed" shall be substituted by , the XI,of 1973.words "its elected and nominated members if any,' from amongst themselves. " 4 Amendment of Section 12 of Assam Act xi of 1973

5. In Section 12 of the plincipal Act —in sub-section (1) in clause (i), the wordfs "re.vé• nue or dues Or loans Of Government of? Assam* shalls be substituted for . the words "Government révenue or dues or loans." ASSAM GAZETTE EXTRAORDINARY, MAY 19; *1976 32? (b) after Q sub-section | (1), the following shall be in'serted a-s a new sub-section (2) viz.+ (2) No Councillor, Chairman, .Chief A' Executivé Councilloi•, Deputy Chief ExecutivÉ Councillor of a Mohkuma Parishad or a President/ Vice-President or member of a Gaon Panchayat shall seek election to thé Assam Legislative Assembly or as a mérn,ber of' any of the Houses of Parliament •from any Consa- €ituericy in Assam, If any such person aforesaid seeks any suclö élec- tion he shall immediately cease to hold the office of Councillor, Chairman, Chief Exeéutive Cotin- eillör, Deputy Chiéf Executive Councillor of a Mohkuma Parishad or the President, Vice-Presideht or Member of: Gaon Panchayat as the case may be. 'j Amendment of Section 20 Of Assam Act X1 of 1973 A menglmen t of Section 2 J of Assam Act X1 of 1973. 6, In Section 20 of the principal Aqt— (1) in clause (d) of sub-section (1) between- the words *hiominate! arid renot" the wordse "in the manner prescribed" shall be deleted. (2) in clause (b) of sub-section (2) for the wordß "Chafr_man and Chief -Execufive i Counëillor" the Words "Chairman, Chief Executive Councillor and Deputy Chief Executhve Councillor" shall bet •subs- tituted.s 7. In Section 21 of the principal Act (a) in sub-section -for the words Chairman anL a Chief Executive Councillor of lthe Mohkuma Parishad by its Council110F• from amongst them- selves ing the manner prescribed" the, wordsJ Chairynan, a . Chief Executive Councillor and a De- puty Chief Executive Councillor of the Mohkuma Parishad by its elected& and nominated *Councillors, if any from amog-lgst themselves" shall be substituted.' (b) after sub-section the following new proviso shall be inserted, namely . —"Provided that the. first election of the Deputy Chief Executive Councillor shall be held within three months from, the date Of publiéation of the Assam Panchayati Raj (Fourth Amendmént) 4ct, 1976 in the official Gazette and the, pr,ocedure for election of the ' Chief Executive Councillor shall mutatis, mutandis be followed in respect of such election". 328 THE ASSAM GAZETTE EXTRAORDINARY, MAY 19, 1976 Amendment 8. In sub-section (1) Of Sectipn 22- of 'the principal of SéCtiOn 22 Act, between the words CEChief Executive Councillor" of Assam Act L of 1973. and "and" the punctuation comma ft(,) and the, words "Deputy, Chief Executive Councillor"

shall be inserted. Q). In Section '22-A of the principal Act, after the Amendment of Section words "Chief Executive Councillor" wherever these occur, the punctuation comma (,)" and words. "Deputy 22-A of Chief Councillor" shall be inserted

10. In Section 23 Of the principal Act, after sub- Amendment of Section 23section (2), a new sub-section (3) shall be inserted, of Assam Act. of 1973. namely :— *Amendment Of Section 2 the u (3) The Deputy Chief Executive Councillor shall discharge all functions and duties of the Chief Executive Councillor under the Act and Rules made thereunder during vacancy in the office of the Chief Executive Councillor or temporary absence of the Chief Executive Councillor." 11. In Section '24, of the principal Act in between words, "Chief Executive Councillor" . and "or" the of Assam Act of 1973; punctuation comma and the words "Deputy Chief Executive Councillor" shall be inserted. 12. in Section 25 of the principal Act Amendment of Section 25 of Assam Act' XI of 1973. Amendment of Section 26 of Assam Act XI of 1973. (1) in sub-section (1) in between the words, "Chief Executive Councillor". and "or" the words "or Deputy Chief Executive Councillor" shall be inserted. (2) in sub-sections (2), and (4) in between the words "Chief Executive Councillor" and "or" the words "or Deputy Chief Executive Councillor" shall be inserted. 13 In Section 26 of the principal Act— (1) in sub-section (1), (a) between the words "Chief Executive Councillor" and "or" the words "or Deputy Chief Executive Councillor" shall be inserted. (b) for the, " words "two" in between the words "within" and "months" the word "six" shall be substituted. (c) the words and punctuation comma (,) holding bye-election," 'appearing between the words "occurred" and "in" shall be deleted. (2) in sub-section (2), between the words "Chief Executive Councillor" and "or" the words "or Deputy Chief Executive Councillor" shall be inserted. THE ASSAM GAZETTE EXTRAORDINARY, MAY 19, 1976 329 Amendment 14. Clause (a) of sub-section (2) of Section 28 of the principal Act shall be substituted by the following, XI of 1973 namely : Amendment of Section 56 of Assam Act XI of 1973. (2) (e) The Mohkuma Parishad shall have an Executive Committee consisting of the Chief Executive Councillor, Deputy Chief Executive Councillor and all the Presidents of the Standing Committees formed under sub-section (1). The Chief Executive Councillor and the Secretary of the Mohkuma Parishad shall function as the President and the Secretary respectively of the Executive Committee." 15. In Section 156 of the principal Act — (1) sub-section (3) shall be renumbered as sub-section (4) and after sub-section (2) the following shall be inserted as new sub-section (3), namely:— "(3) Any rule framed under this Act and sub-sections (1) and (2) above may be given retrospective effect." (2) in sub-section (1) the punctuation occurring after the word "may" shall be deleted and the words and punctuation (,)" "after previous publication," shall also be deleted, GAUHATI MD. SAADULLAH, Joint Secretary to the Govt. of Assam, Law Department. —Printed and published By the Supdt. i/c., Printing Press, Directorate of Ptg. & Sty., Assam (EK-Gazette).