

পঞ্জীভুক্ত নম্বৰ-ক-12

Registered No.—A-12

অসম



ৰাজপত্ৰ

The Assam Gazette

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

নং 128, দিশপুৰ, সোমবাৰ, 29 চেপ্তেম্বৰ, 1975, 7 অহিন, 1897 শক
No. 128, Dispur, Monday, September 29, 1975, 7th Asvina
1897 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LAW DEPARTMENT

NOTIFICATION

The 27th September 1975

No. L.J.L. 44/75/5.—The following Act of the Assam Legislative

Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT X OF 1975

[Received the assent of the Governor of Assam on the 26th day of September 1975]

THE ASSAM PANCHAYATI RAJ (THIRD AMENDMENT)
ACT 1975

An
Act

FURTHER TO AMEND THE ASSAM PANCHAYATI
RAJ ACT, 1972.

Preamble Whereas it is expedient further to amend the Assam Panchayati Raj Act, 1972 here-in-after called the Principal Act, in the manner hereinafter appearing.

It is hereby enacted in the Twenty sixth year of the Republic of India, as follows:—

Short title,
extent and
commence-
ment.

1. (i) This Act may be called the Assam Panchayati Raj (Third Amendment) Act, 1975.
(ii) It shall have the like extent as the Principal Act.
(iii) It shall come into force at once.

Amendment
of Section 9
of the
Assam Act
XI of
1973.

2. At the end of clause (a) of sub-section (1) of Section 9 of the Principal Act, the following paragraph shall be added, namely:—

"Any dispute arising out of any election aforesaid shall be dealt with in the manner prescribed."

Insertion of
new Section
11A.

3. After Section 11 of the Principal Act, the following shall be inserted as Section 11 A namely:—

"Remuneration, allowance, etc., to President and members of Gaon Panchayat.

- 11 A. (1) The President of the Gaon Panchayat shall be entitled to such remuneration as may be fixed by the State Government from time to time:

Provided that the Gaon Panchayat by a resolution authorises payment of such a remuneration and payment is made from its own fund:

Provided further that the Gaon Panchayat may authorise payment of remuneration to the President of the Gaon Panchayat at a rate lower than the rate fixed by the State Government and also with effect from any retrospective date.

- (2) Travelling expenses and other allowances for journey performed by the President of the Gaon Panchayat in his official capacity shall be admissible at such rate and under such conditions as may be fixed by the State Government from time to time provided that payment is made from the Gaon Panchayat's own Fund. Such travelling expenses and other allowances may be paid with effect from any retrospective date.
- (3) Members of the Gaon Panchayat except the ex-officio members who are Government officers, shall be entitled to such sitting allowance and travelling expenses for attending meetings of the Gaon Panchayat as may, from time to time, be fixed by the State Government provided that payment is made from Gaon Panchayat's own Fund. Such sitting allowance and travelling expenses may be paid with effect from any retrospective date."

Amendment of Section 20 of Assam Act XI of 1973.

4. At the end of clause (a) of sub-section (1) of Section 20 of the Principal Act, the following paragraph shall be added, namely :—

"Any dispute arising out of election of a Councillor to the Mohkuma Parishad shall be dealt with in the manner prescribed."

Insertion of new section 22A.

5. After section 22 of the Principal Act, the following shall be inserted as Section 22 A, namely :—

"Remuneration, allowances, etc., of the Chief Executive Councillor, President Standing Committees and Councillors of Mohkuma Parishad.

22 A. (1) The Chief Executive Councillor and Presidents of Standing Committees of Mohkuma Parishad shall be entitled to such remuneration as may be fixed by the State Government from time to time :

Provided that the Mohkuma Parishad by a resolution authorises payment of such a remuneration and payment is made from its own fund :

Provided further that the Mohkuma Parishad may authorise payment of remuneration to the Chief Executive Councillor or Presidents of the Standing Committees at a rate lower than the rate fixed by the State Government and which may be paid with effect from any retrospective date.

- (2) Travelling expenses and other allowances, for journeys performed by the Chief Executive Councillor and President Standing Committee of the Mohkuma Parishad for journeys performed in their official capacities shall be admissible at such rate and under such conditions as may be fixed by the State Government from time to time provided that payment is made from the Mohkuma Parishad's own Fund. Such travelling expenses and other allowances may be paid with effect from any retrospective date.
- (3) Chairman and Councillors of the Mohkuma Parishad except the ex-officio Councillors who are Government officers, shall be entitled to such sitting allowance and travelling expenses for attending meetings of the Mohkuma Parishad as may be fixed by the State Government from time to time provided that payment is made from the Mohkuma Parishad's own Fund. Such travelling expenses and other allowances may be paid with effect from any retrospective date."

Amendment
of Section
25 of Assam
Act XI of
1973.

6. In Section 25 of the Principal Act, after sub-section (5), the following shall be inserted as sub-sections (6) and (7), viz.—

“(6) President of a Standing Committee shall immediately cease to hold office if a motion of no-confidence is passed by a majority of total number of members of the Standing Committee concerned in a meeting convened and held for the purpose in the manner prescribed :

Provided that at least fifteen days notice shall be given in writing by not less than two members of the Standing Committee concerned :

Provided further that if the meeting so requisitioned is not convened by the President of the Standing Committee concerned within fifteen days of receiving of such notice the Chief Executive Councillor shall call the meeting.

(7) The term of the Standing Committee shall be for a period of two years."

Amendment
of Section
37 of Assam
Act XI of
1973.

7. In Section 37 of the Principal Act:—

(i) in clause (a) for the words and figures "sub-section (1) above" the words and figures "Section 36" shall be substituted.

(ii) in clause (c) for the words "sub-section" the word "Section" shall be substituted.

Amendment
of Section
39 of Assam
Act XI of
1973.

8. In sub-section (1) of Section 39 of the Principal Act, for the figures "73" and "74", the figures "68" and "69" respectively shall be substituted.

Amendment
of Section
62 of Assam
Act XI of
1973.

9. In clause (ij) of sub-section (1) of Section 62 of the Principal Act, between the words "Chief Executive Councillor of the Mohkuma Parishad" and "subject to control" the words "with the assistance of the Secretary, Mohkuma Parishad who shall operate the account of the Fund with the Bank and" shall be inserted.

Amendment
of Section
64 of Assam
Act XI of
1973

10. In sub-section (1) of Section 64 of the Principal Act:—

(i) after the figure and brackets "(1)" at the beginning, the following shall be inserted, namely:—

"The following shall be credited to the Mohkuma Parishad Fund:—"

(ii) for clause (x) the following shall be substituted, namely:—

"All sums received from the State Government on transfer of institutions, works or schemes along with funds under Section 37 of the Act including the funds for payment of salaries to officers and staff deputed to Mohkuma Parishad."

Amendment
of Section
67 of Assam
Act XI of
1973.

11. In Section 67 of the Principal Act.—

- (i) in sub-section (1) for the Second proviso to clause (b), the following shall be substituted, namely:—

“Provided further that the budget shall normally be approved within a month of receipt of the same by the Mohkuma Parishad.”

- (ii) in sub-section (2) for the Second proviso to clause (b), the following shall be substituted, namely:—

“Provided further that the budget shall normally be approved within a month of receipt of the same by the State Government.”

Md. SAADULLAH,
Joint Secretary to the Govt. of Assam,
Law Department.

**Gauhati:—Printed and published by the Supdt. i/c., Printing Press
Directorate of Ptg. & Sty. Govt. of Assam (Ex.-Gazette)
No. 255—1,580+3,500—29-9-1975;**