

ASSAM ACT XIX OF 1970

[Received the assent of the Governor on the 19th December, 1970]

THE ASSAM PANCHAYAT (AMENDMENT) ACT, 1970

(Published in the Assam Gazette Extraordinary, dated the 19th December, 1970)

**An
Act**

further to amend the Assam Panchayat Act, 1959.

Preamble.

Whereas it is expedient further to amend the Assam Panchayat Act, 1959 hereinafter called the principal Act, in the manner hereinafter appearing ;

Assam Act
XXIV of
1959.

It is hereby enacted in the Twenty-first Year of the Republic of India as follows:—

Short title, extent and commencement. 1.(1) This Act may be called the Assam Panchayat (Amendment) Act, 1970.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of section 11 of Assam Act XXIV of 1959. 2. In section 11 of the principal Act, for sub-section (2) the following shall be substituted, namely:—

“(2) Notwithstanding any vacancy in the membership of the Gaon Panchayat, the Deputy Commissioner or the Subdivisional Officer as the case may be, shall call a meeting of the Gaon Panchayat (which meeting shall be called the first meeting of the Gaon Panchayat), for election of a President and a Vice-President from amongst its members in the manner prescribed.”

Amendment of section 13 of the Assam Act XXIV of 1959. 3. For section 13 of the principal Act, the following shall be substituted, namely:—

“13. (1) The Mahkuma Parishad shall appoint a Secretary of the Gaon Panchayat who shall also function as the Secretary of the Gaon Sabha concerned;

Provided that one Secretary may be appointed for more than one Gaon Panchayat.

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(2) Qualification, salary and other conditions of service including disciplinary actions of the Secretary so appointed shall be governed by the rules to be made for the purpose."

Amendment of section 18 of the Assam Act XXIV of 1959.

4. In section 18 of the principal Act, for sub-section (1) the following shall be substituted, namely:—

"(1) Notwithstanding any vacancy in the membership of the Anchalik Panchayat, the Deputy Commissioner or the Sub-divisional Officer, as 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 from amongst its members in the manner prescribed."

Amendment of section 23 of the Assam Act XXIV of 1959.

5. In section 23 of the principal Act, for sub-section (1), the following shall be substituted, namely:—

"(1) Notwithstanding any vacancy in the membership of the Mahkuma Parishad, the Deputy Commissioner or the Subdivisional Officer, as the case may be, shall call a meeting of the Mahkuma Parishad (which meeting shall be called the first meeting of the Mahkuma Parishad) for the election of a President and a Vice-President from amongst its members in the manner prescribed."

Amendment of section 32 of Assam Act XXIV of 1959 as amended by Assam Panchayat (Amendment) Act, 1966.

6. In section 32 of the principal Act, in the existing proviso:—

(1) the words "except Gaon Panchayat Secretaries" occurring between the words "employees" and "appointed" and the word "First" occurring between the word "Panchayat" and bracket and word "(Amendment)" shall be deleted ;

(2) the punctuation "full-stop (.)" occurring at the end shall be substituted by the punctuation "colon (:)" and thereafter the following proviso shall be added, namely:—

"Provided further that all the Gaon Panchayat Secretaries appointed by the State Government after the date of coming into force of the Assam Panchayat (Amendment) Act, 1964 shall be deemed to have been appointed by the Mahkuma Parishad under this Act." Assam Act
VII of
1964.

7. (1) The Assam Panchayat (Amendment) Ordinance, 1970 is hereby repealed. Assam Ordinance IV
of 1970.

(2) Notwithstanding such repeal, anything done or any action taken under the Assam Panchayat (Amendment) Ordinance, 1970 shall be deemed to have been done or taken under this Act as if this Act had commenced on the twenty-sixth day of September, 1970 (the date of promulgation of the Ordinance).