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ARUNACHAL PRADESH
LEGISLATIVE ASSEMBLY SECRETARIAT
ITANAGAR

The 9th March, 2018

No. LA/Bill-5/2018.—The following Bill introduced in the Arunachal Pradesh Legislative Assembly on the 9th March, 2018 is published under Rules 73 of the Rules of Procedure and Conduct of Business in Arunachal Pradesh Legislative Assembly for general information.

BILL NO. 7 OF 2018

THE ARUNACHAL PRADESH PANCHAYAT RAJ (AMENDMENT) BILL, 2018

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BILL

further to amend the Arunachal Pradesh Panchayat Raj Act, 1997 (Act No. 5 of 2001).

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Sixty-ninth Year of the Republic of India as follows-

- (1) This Act may be called the Arunachal Pradesh Panchayati Raj (Amendment) Act, 2018.

(2) It shall extend to the whole of the State of Arunachal Pradesh.

(3) It shall come into force on such date, as the State Government may, by notification in the Official Gazette appoint.

Short title, extent and commencement.
- In the Arunachal Pradesh Panchayat Act, 1997 (Act No. 5 of 2001) (hereinafter referred to as the Principal Act), in section 2, clauses (iii), (iv) and (ix) shall be deleted.

Amendment of section 2.
- In the Principal Act, in section 9, after sub-section(3), the following proviso shall be inserted,-

"Provided that the State Government may review the size of the population for determining the area of Gram Panchayats from time to time".

Amendment of section 9.
- In section 19, the words "or Anchal Samiti Member(s)" appearing after the words "Gram Panchayat Member(s)" and before the word "forthwith" shall be deleted.

Amendment of section 19.
- In section 27, in sub-section (2), for the words, "Executive Officer of Anchal Samiti" the words, "Member Secretary of Zilla Parishad" shall be inserted.

Amendment of section 27.
- In section 44, in sub-section (1), in clause (b) the words "Anchal Samiti" appearing after the words "Zilla Parishad" and before the words "or any other local authority" shall be deleted.

Amendment of section 44.
- In section 50, sub-sections (1), (2), (3), (4), and (5)- and in section 51, for the words "Anchal Samiti", the words "Zilla Parishad" shall be substituted.

Amendment of sections 50 and 51.
- In the principal Act, sections 53, 54, 55 and 56 shall be deleted.

Deletion of sections 53, 54, 55 and 56.

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| 9. (1) In the principal Act, in section 57, the words, "Anchal Samiti" wherever appear except sub-section (c) and (l) shall be deleted. | Amendment of section 57. |
| (2) In the principal Act, in section 57, in sub-section (c) and (l) the words "Anchal Samiti" shall be substituted by the words "erstwhile Anchal Samiti". | |
| 10. In the principal Act, sections 58 and 59 shall be deleted. | Deletion of sections 58 and 59. |
| 11. (1) In sections 60, the words "Anchal Samiti" in the heading and wherever appear, shall be deleted. | Amendment of section 60. |
| (2) In section 60, for sub-section (1) the following shall be substituted:

"A Member of Gram Panchayat may resign his office by giving notice in writing to that effect to the Chairperson of the Gram Panchayat and the Chairperson of the Gram Panchayat may resign his Office by giving notice in writing to that effect to the Chairperson of the Zilla Parishad". | |
| 12. (1) In section 61, in the heading, the words, "Anchal Samiti" shall be deleted. | Amendment of section 61. |
| 13. In the principal Act, section 62 shall be deleted. | Deletion of section 62. |
| 14. In the principal Act, in sections 63, the words "or Anchal Samiti" and "an Anchal Samiti" wherever appear shall be deleted. | Amendment of section 63. |
| 15. (1) In section 64, the words, "or an Anchal Samiti"; "or the Anchal Samiti" and "or Anchal Samiti Members" wherever appear shall be deleted. | Amendment of section 64. |
| 16. In the principal Act, sections 65, 66, 67 and 68 shall be deleted. | Deletion of sections 65, 66, 67 and 68. |
| 17. In the principal Act, in section 69, the words "or Anchal Samiti" and "Anchal Samiti" wherever appear shall be deleted. | Amendment of section 69. |
| 18. (1) In the principal Act, sections 70 and its corresponding Schedule-II, 71, 72, 73, 74, 75, 76 and 77 shall be deleted. | Deletion of sections 70, 71, 72, 73, 74, 75, 76 and 77. |
| 19. (1) In the principal Act, in section 78, for sub-section (1), the following shall be substituted,-

"(1) Zilla Parishad shall exercise general powers of supervision over Gram Panchayats in the District and it shall be duty of these authorities to give effect to the directions of the Zilla Parishad. | Amendment of section 78. |
| (2) In sub-section (2), for the words "an Anchal Samiti", the words " the Zilla Parishad " shall be substituted. | |
| (3) In sub-section (2), in clause (a), the word "Block" shall be substituted by the word "District". | |
| (4) In sub-section (2), in clause (c), the words, "or the Anchal Samiti" appearing in the last sentence shall be deleted. | |
| 20. (1) In the principal Act, sections 79, 80, 81, 82, 83 and 84, shall be deleted. | Deletion of sections 79, 80, 81, 82, 83 and 84. |
| (2) After Section 84 of the Principal Act, the following shall be inserted:-

"84A. All the properties, capital assets, resources, records, institutions and funds of erstwhile Anchal Samiti, if any, shall be transferred and vested to the respective Zilla Parishad of the Districts as may be determined and prescribed by the State Government on the commencement of the Amendment Act." | |
| 21. (1) In the principal Act, in section 85, in sub-section (2), for clause (i) the following shall be substituted,-

"(i) One member directly elected from such numbers of Gram Panchayats territorial constituencies earmarked for the purpose for electing Gram Panchayats, in the manner prescribed". | Amendment of section 85. |

- (2) clause (ii) shall be deleted,-
22. In section 99, in sub-section (1), in clause (b), the words "Anchal Samiti" shall be substituted by the words, "Gram Panchayat". Amendment of section 99.
23. In the principal Act, in sections 105, 112, 120, 121, 122, 138, 139, 140 and 141, the words, "an Anchal Samiti", "the Anchal Samitis", "Anchal Samiti", "Anchal Samitis", "the Anchal Samiti" "or an Anchal Samiti" "and the words "Member of Anchal Samiti", wherever appear shall be deleted. Amendment of sections 105, 112, 120, 121, 122,138,139, 140 and 141.
24. (1) In the principal Act, in section 142, the words, "or Anchal Samiti", "Anchal Samiti" and "Anchal Samiti" wherever appear shall be deleted. Amendment of section 142.
- (2) In section 142, after sub-section (6), the following provisions shall be inserted -
- "(7) Notwithstanding anything contained in this Act, in case, the Zilla Parishad or Gram Panchayats are not reconstituted in terms of this Act and in case the Zilla Parishads or Gram Panchayats are dissolved due to compelling circumstances, the functions of the Zilla Parishads and Gram Panchayats shall be vested to such competent authorities as may be determined by the Government to ensure that the interests of public are protected, during the transition period till the new Zilla Parishad and Gram Panchayat are reconstituted under this Act".
25. In the principal Act, in sections 143, 144, 145, 146, 148, 149, 151, and 153 the words, " or an Anchal Samiti", "or Anchal Samiti", "Anchal Samiti", "Anchal Samities" ,"the Anchal Samiti" and the words. "Chairperson or Executive Officer of Anchal Samiti" wherever appear shall be deleted. Amendment of section 143,144, 145, 146, 148,149, 151.
26. In section 152, for the words and figures "Schedule -I, II, III" the words and figures "Schedule- I and III" shall be substituted. Amendment of section 152.
27. In section 153, the words "or the Anchal Samitis", "or an Anchal Samiti", and "the Anchal Samiti" shall be deleted. Amendment of section 153.
28. (1) In the principal Act, in section 154, the words "Anchal Samiti" wherever appears shall be deleted. Amendment of section 154.
- (2) In section 154, in sub-section (1)
- (i) clause (a) shall be substituted as under,-
- "(a) on the Gram Panchayat, shall be forwarded to the Zilla Parishad by the Gram Panchayat".
- (ii) clause (b) shall be deleted.
29. In the principal Act, for section 155, the following shall be substituted,- Amendment of section 155.
- "As soon as may be after the first day of April in every year, and not later than such date as may be fixed by the Government, the Member Secretary shall place before the Gram Panchayat a report of the administration of the Gram Panchayat during the preceding financial years, in such form and with such details as the Government may direct, and shall forward the report, with the resolution of the Gram Panchayat thereon, to the Zilla Parishad and to the Government".
30. In the Schedules appended to the Act, the words "Anchal Samiti" wherever appear shall be deleted. Amendment of Schedules.

Dated Itanagar,
theMarch, 2018.

M. Lasa
Secretary,
Legislative Assembly,
Arunachal Pradesh,
Itanagar.