

# **The U.P. Gaon Panchayats, Kshettra Samities and Zila Parishads (Sanshodhan) Adhiniyam, 1969**

UTTAR PRADESH

India

## **The U.P. Gaon Panchayats, Kshettra Samities and Zila Parishads (Sanshodhan) Adhiniyam, 1969**

### **Act 6 of 1969**

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The U.P. Gaon Panchayats, Kshettra Samities and Zila Parishads (Sanshodhan) Adhiniyam, 1969(U.P. Act No. 6 of 1969)Statement of Objects and Reasons. - The following extract from Statements of Objects and Reasons is as under :-"1. The extended terms of Kshettra Samities and of Gaon Panchayats were due to expire on May 4, 1968 and June 30, 1968, respectively. As it was decided during President's rule to extend the term of Gaon Panchayats and Kshettra Samities by a further period of one year, the Uttar Pradesh Gaon Panchayats and Kshettra Samities (Extension of Term) Act, 1968 was enacted by the President.2. The Santhanam Committee on Panchayat Raj elections appointed by the Government of India and recommended that the elections to Gaon Panchayats should be held by secret ballot and on the basis of Assembly electoral rolls. The State Government accepted these recommendations and necessary amendments in the U.P. Panchayat Raj Act, 1947, were made by the Uttar Pradesh Panchayats Raj (Amendment) Act, 1968, enacted by the President.3. As elections to Gaon Panchayats have local importance it was decided to hold elections to Gaon Panchayats only after a thorough revision of the Assembly electoral rolls. Accordingly it was decided to extend further the term of Gaon Panchayats, Kshettra Samities and Zila Parishads up to a period of one year. As the Terms of all the three tiers were due to expiers during May-June, 1969 and the State Legislature was not in session, the Uttar Pradesh Gaon Panchayats, Kshettra Samitis and Zila Parishad (Extension of Term and Miscellaneous provisions) Adhyadesh, 1969, was promulgated on April 30, 1969 besides other things, to extend further the terms of these bodies and to repeal the Uttar Pradesh Gaon Panchayats and Kshettra Samitis (Extension of Term) Act, 1968, enacted by the President.4. In the said Adhyadesh promulgated on April 30, 1969, it was, inter alia provided that if at the time of the occurrence of a vacancy in the office of Pramukh, Up-Pramuch of a Kshettra Samiti or Adhyaksh or Upadhyaksha of a Zila Parishad, the residue of the term of these bodies was less than six months, the vacancies shall not be filled. This provision was made with a view to avoiding possible dislocation in the administration of Kshettra Samitis and Zila Parishad as a result of elections, especially when general elections to these

bodies were due shortly.<sup>5</sup> As some elections for filling such casual vacancies had already taken place, it was decided to validate those elections and to make provisions of Sections 6 and 10 of the said Adhyadesh applicable only to vacancies arising on or after the date of promulgation of the said Adhyadesh. Accordingly the Uttar Pradesh Gaon Panchayats, Kshettra Samitis and Zila Parishad (Extension of Term and Miscellaneous provisions) (Amendment) Adhyadesh, 1969, was promulgated on June 26, 1969.<sup>6</sup> This Bill seeks to re-enact the provisions of the Uttar Pradesh Panchayat Raj (Amendment) Act, 1969 enacted by the President and of the aforesaid two Ordinances promulgated by the Governor.<sup>7</sup> The Bill is accordingly introduced." [Dated 1st September, 1969] Published in U.P. Gazette, Extraordinary, dated July 23, 1969. An Act further to amend the U.P. Panchayat Raj Act, 1947 and the Uttar Pradesh Kshettra Samities and Zila Parishads Adhiniyam 1961 The Act received the assent of the Governor on August 31, 1969 and the English translation of the Act was published in U.P. Gazette, Extraordinary, dated September 1, 1969.

## **Chapter I**

### **Preliminary**

#### **1. Short title.**

- This Act may be called the Uttar Pradesh Gaon Panchayats, Kshettra Samitis and Zila Parishads (Sanshodhan) Adhiniyam, 1969.

## **Chapter II**

### **Amendment of the U.P. Panchayat Raj Act, 1947**

#### **2. Substitution of new section for Section 5 of U.P. Act No. 26 of 1947.**

- Amendment incorporated in the relevant Act.

#### **3. Amendment of Section 6.**

- Amendment incorporated in the relevant Act.

#### **4. Substitution of new section for Section 6-A.**

- Amendment incorporated in the relevant Act.

#### **5. Substitution of new section for Section 9.**

- Amendment incorporated in the relevant Act.

## **6. Amendment of Section 12.**

- Amendment incorporated in the relevant Act.

## **7. Substitution of new section for Section 12-A.**

- Amendment incorporated in the relevant Act.

## **8. Substitution of new section for Section 12-BB.**

- Amendment incorporated in the relevant Act.

## **9. Amendment of Section 114.**

- Amendment incorporated in the relevant Act.

## **10. Transitory provision.**

- Until a Gaon Panchayat has been duly constituted, or a Pradhan or Up-Pradhan of a Gaon Sabha has been duly elected, under the provisions of the principal Act as amended by this Act (hereinafter referred to as the amended Act), the members of the Gaon Panchayat and the Pradhan or Up-Pradhan of the Gaon Sabha, as the case may be, holding office immediately before the twenty-eight day of December, 1968, shall be, except as otherwise provided in the amended Act, continue to hold office and to function as such :Provided that any casual vacancy existing immediately before the said date or arising thereafter in any such office shall be filled in accordance with the provisions of the amended Act.

## **11. Powers to remove difficulties.**

- The State Government, may for the purpose of removing any difficulty arising in relation to the transition from the provisions of the principal Act to the provisions of that Act as amended by this Act, by order, as occasion requires, do anything which appears to it to be necessary for the purpose of removing the difficulty :Provided that no such order shall be made after the expiration of one year from the commencement of this Act.

## **Chapter III**

## **Amendment of the Uttar Pradesh Kshettra Samitis and Zila Parishads Adhiniyam, 1961**

## **12. Amendment of Section 7 of U.P. Act XXXIII of 1961.**

- Amendment incorporated in the relevant Act.

## **13. Amendment of Section 8.**

- Amendment incorporated in the relevant Act.

## **14. Amendment in Section 9.**

- Amendment incorporated in the relevant Act.

## **15. Amendment in Section 12.**

- Amendment incorporated in the relevant Act.

## **16. Amendment in Section 19.**

- Amendment incorporated in the relevant Act.

## **17. Amendment in Section 20.**

- Amendment incorporated in the relevant Act.

## **18. Amendment in Section 21.**

- Amendment incorporated in the relevant Act.

## **19. Amendment in Section 25.**

- Amendment incorporated in the relevant Act.

## **20. Insertion of new Section 27-A.**

- Amendment incorporated in the relevant Act.

## **21. Transitory provisions.**

- Nothing in Section 15 or in clause (b) of Section 19 shall apply in relation to any vacancy in the office of Adhyaksha or Upadhyaksha of a Zila Parishad or in the office of Pramukh or Up-Pramukh of a Kshettra Samiti which may have occurred before the thirtieth day of April, 1969.

## **22. Validation.**

- Every election held to fill any vacancy referred to in Section 21 before the twenty-sixth day of June, 1969, shall be deemed to be and always to have been as valid as if the provisions of Section 21 and of this section were always in force.

## **Chapter IV**

### **Repeal**

## **23. Repeal of President's Act XXXVIII of 1968, U.P. Ordinance No. II of 1969, and U.P. Ordinance No. IV of 1969.**

- The Uttar Pradesh Panchayat Raj (Amendment) Act, 1968, the Uttar Pradesh Gaon Panchayats, Kshettra Samitis and Zila Parishads (Extension of Term and Miscellaneous provisions) Adhyadesh, 1969, and the Uttar Pradesh Gaon Panchayats, Kshettra Samitis and Zila Parishads (Extension of Term and Miscellaneous provisions) (Amendment) Adhyadesh, 1969, are hereby repealed.