

Gujarat Panchayats (Amendment) Act, 1975

GUJARAT

India

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Act 1 of 1975

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Enacted by the President in the Twenty-sixth Year of the Republic of IndiaAn Act further to amend the Gujarat Panchayats Act, 1961.In exercise of the powers conferred by section 3 of the Gujarat State Legislature (Delegation of Powers) Act, 1974 (11 of 1974), the President is pleased to enact as follows:-* Received the Assent by the President on the 29th March, 1975, is published for general information:-

1. Short title.- This Act may be called the Gujarat Panchayats (Amendment) Act, 1975.

2. Insertion of new sections 303B and 303C.- In the Gujarat Panchayats Act, 1961, after section 303A, the following sections shall be inserted, namely:-

"303B. Power of State Government to appoint officer to exercise and perform the powers and duties of panchayat when elections could not be held for reconstituting it.- (1) Notwithstanding anything contained in this Act or the rules or by-laws made thereunder, if, in respect of any panchayat, the State Government is satisfied, at any time before or after the date on which it is or has become liable to be reconstituted on account of the expiry of its term or otherwise, that it is not possible to hold elections for the reconstitution of that panchayat, by reason of any of the matters connected with the holding of election of members set out in sections 20 and 21 or elsewhere in this Act or any rules made thereunder not having been completed and not being likely to be completed within a reasonable period, the State Government may, by notification in the Official Gazette, make a declaration to that effect.(2)A notification issued under sub-section (1) in relation to any panchayat shall remain in force for such period, not exceeding six months, as may be specified therein:Provided that if the State Government is of the opinion that it is necessary so to do, it may, by order and for reasons to be mentioned therein, extend, from time to time, the period so specified; so however that the notification shall not in any case remain in force for more than one year in the aggregate.(3)On the issue of a notification under sub-section (1) in relation to any panchayat with effect from such date (not being earlier than the date on which the panchayat is or has become liable

to be reconstituted) as the State Government may, by order, specify and so Iona as that notification remains in force, all the powers and duties of the panchayat shall be exercised and performed by such officer of the State Government as may be specified in the said order.(4)The State Government shall, before the expiry of the period specified in the notification issued under sub-section (1) or extended under the proviso to sub-section (2), as the case may be, take steps for the purpose of reconstituting the panchayat in the manner provided in this Act.

303C. Power of State Government to empower officer to exercise and perform the powers and duties of Sarpanch, etc., in certain cases.- Where a notification has been issued under sub-section (1) of section 303 A or sub-section (1) of section 303B in relation to any panchayat the State Government may notwithstanding anything contained in this Act or the rules or by-laws made thereunder, by order, empower such officer of the State Government as it may think fit, to exercise perform all the powers and duties conferred or imposed on a Sarpanch Chairman or as the case may be, president or any Committee of that panchayat under this Act and upon the issue of such order the Sarpanch, Chairman or, as the case may be, President shall cease to carry on the current duties of his office".