



**The Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Sanshodhan)
Adhiniyam, 1998**

Act 20 of 1998

Keyword(s):

Pramukh, Up-Pramukh, Adhyaksha, Zila Panchayat

Amendment appended: 25 of 2005

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

Dated Lucknow, July 10, 1998

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Chetra Panchayat tatha Zila Panchayat (Sanshodhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sankhya 20 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 9, 1998:

THE UTTAR PRADESH KSHETTRA PANCHAYATS AND
ZILA PANCHAYATS (SANSHODHAN) ADHINIYAM, 1998

(U. P. ACT No. 20 OF 1998)

[As passed by the Uttar Pradesh Legislature]

AN
ACT

farther to amend the Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhiniyam, 1961,

IT IS HEREBY enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and
commencement

1. (1) This Act may be called the Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sanshodhan) Adhiniyam, 1998.
- (2) It shall be deemed to have come into force on May 5, 1998.

प्रां

र से

रख

रख

2. In section 15 of Uttar Pradesh Kshetra Panchayats and Zila-Panchayats Adhiniyam, 1961, hereinafter referred to as the principal Act,

Amendment of section 15 of U. P. Act no. 33 of 1961

(a) in sub-section (11) for the words "more than half" the words "not less than two-thirds" shall be substituted;

(b) in sub-section (12) for the words "one year" the words "two years" shall be substituted;

(c) in sub-section (13) for the words "one year" the words "two years" shall be substituted.

3. In section 28 of the principal Act, —

Amendment of section 28

(a) in sub-section (11) for the words "more than half" the words "not less than two-thirds" shall be substituted;

(b) in sub-section (12) for the words "one year" the words "two years" shall be substituted;

(c) in sub-section (13) for the words "one year" the words "two years" shall be substituted.

म से

रख

रख

दे से

उप-

न से

सर्व

4. Notwithstanding anything contained in the principal Act the provisions of this Act shall also have effect and shall be deemed always to have effect in a case, where the notice referred to in sub-section (2) of section 15 or sub-section (2) of section 28 of the principal Act has been delivered before the commencement of this Act and a meeting has been convened in pursuance thereof on a date after such commencement as if the provisions of this Act were in force at all material times.

Transitory provisions

998

उत्तर प्रदेश अध्यादेश संख्या 10

द्वारा

संख्या

संख्या

बाही

5. (1) The Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Amendment) Ordinance, 1998 is hereby repealed.

Repeal and savings

(2) Notwithstanding such repeal anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act as if the provisions of this Act were in force at all material times.

By order,

Y. R. TRIPATHI,
Pramukh Sachiv.

ia,

he

98

re

ila

lia

tra

No. 1343/VII-1—1(Ka)-28-2005
Dated Lucknow, November 29, 2005

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sanshodhan) Adhiniyam, 2005 (Uttar Pradesh Adhiniyam Sankhya 25 of 2005) as passed by the Uttar Pradesh Legislature and assented to by the Governor on November 29, 2005.

THE UTTAR PRADESH KSHETTRA PANCHAYATS AND ZILA PANCHAYATS
(SANSHODHAN) ADHINIYAM, 2005
(U.P. Act No. 25 of 2005)
(As passed by the Uttar Pradesh Legislature)

AN

ACT

*further to amend the Uttar Pradesh Kshettra Panchayats and Zila Panchayats
Adhiniyam, 1961.*

IT IS HEREBY enacted in the Fifty-sixth Year of the Republic of India as follows :-

Short title and
commencement

1. (1) This Act may be called the Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sansodhan) Adhiniyam, 2005.
- (2) It shall be deemed to have come into force on September 13, 2005.

2. In section 27-A of the Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961, hereinafter referred to as the principal Act for the words "Pramukh, Up-Pramukh, Adhyaksha or Upadhyaksha" wherever occurring, the words "Pramukh, Up-Pramukh, Adhyaksha, Upadhyaksha or Member" shall be *substituted*.

Amendment of section 27-A of U.P. Act no. 33 of 1961

U.P.
Ordinance
no. 9 of
2005

3. (1) The Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhyadesh, 2005 is hereby repealed.

Repeal and saving

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

STATEMENT OF OBJECTS AND REASONS

Section 27-A of the Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961 (U.P. Act no. 33 of 1961) *inter alia* provided that a person shall be disqualified for being elected as and for being Pramukh, Up-Pramukh of a Kshetra Panchayat or Adhyaksha or Upadhyaksha of a Zila Panchayat if he is a member of Parliament or of a State Legislature. The said section did not mention the members of Kshetra Panchayat and Zila Panchayat due to which a member of a Kshetra Panchayat or a Zila Panchayat continued to be such member even after his becoming the Member of Parliament or of a State Legislature. It was, therefore, decided to amend the said Act to bring the said members in the ambit of the said section 27-A.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Sansodhan) Adhyadesh, 2005 (U.P. Ordinance no. 9 of 2005) was promulgated by the Governor on September 13, 2005.

This Bill is introduced to replace the aforesaid Ordinance.

By order,

RAM HARI VIJAI TRIPATHI,

Pramukh Sachiv.