

Assam Rural Panchayat (Amendment) Act, 1955

24 of 1955

[28 December 1955]

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PREAMBLE

An Act further to amend the Assam Rural Panchayat Act, 1948

Whereas it is expedient further to amend the Assam Rural Panchayat Act, 1948 (Assam Act XXVII of 1948), hereinafter referred to as the "Principal Act" in the manner hereinafter appearing;

It is hereby enacted in the Sixth Year of the Republic of India as follows:--

1. Short title, extent and commencement :-

(1) This Act may be called the Assam Rural Panchayat (Amendment) Act, 1955.

(2) It shall come into force at once.

2. Amendment of sub-section (2) of Section 1 of Assam Act XXVII of 1948 :-

Delete the existing sub-section (2) of Section 1 of the Principal Act and insert the following as sub-section (2), namely:--

"(2) Subject to the provisions of sub-section (3), it shall extend to the whole of the State of Assam except any area which has been or hereafter may be included in a Municipality or a Town Committee or a Cantonment constituted under the Assam Municipal Act, 1923 and the Cantonment Act, 1924, respectively or by any other Act, provided that the State Government may, at its discretion, exclude from a Primary or a Rural Panchayat, any area which it considers to be predominantly industrial or otherwise unsuitable to be so included.

Provided further that the area so excluded shall be administered direct by the Union Panchayat for the purpose of this Act.

3. Insertion of a clause under section 2 of the Assam Act XXVII of 1948 :-

After clause (g) of section 2 of the Principal Act, the following new clause as clause (gg) shall be inserted namely:--

"(gg) Mouzadar means a Mouzadar appointed under the executive Instruction No. 129 of the Assam Land and Revenue Regulation, 1886".

4. Amendment of sub-section (1) of Section 4 of Assam Act XXVII of 1948 :-

In sub-section (1) of Section 4 of the Principal Act, for the word "five" appearing between the words "exceeding" and "as", the word "fifteen" shall be substituted.

5. Amendment of sub-section (2) of Section 7 of Assam Act XXVII of 1948 :-

In sub-section (2) of Section 7 of the Principal Act, the figures "11" and "5" shall be substituted for the figures "15" and "9" appearing in the third and fourth line respectively.

6. Amendment of sub-section (1) of Section 12 of Assam Act XXVII of 1948 :-

In Section 12 insert as (1a) the following clause namely:--

"(1a) the State Government may confer all or any of the powers and functions, enumerated in Sections 31 and 32 as it may deem necessary and for that purpose make rules."

7. Amendment of sub-section (1)(a), 1(b) and 1(e) of Section 16 of Assam Act XXVII of 1948 :-

(1) Delete the word "or" appearing in the fourth line of sub-section (1) (a) of Section 16 of the Principal Act and add the words "unless a period of five years has elapsed on the date of the notification for election from the date of his release in case of a sentence of imprisonment and in case of a sentence other than imprisonment from the date of conviction."

(2) Delete the word "or" occurring in clause (b) of sub-section (1) of Section 16 of the Principal Act and add the words "unless a period of five years has elapsed on the date of the notification of election from the date of his dismissal ".

(3) Delete clause (e) of sub-section (1) of Section 16 of the Principal Act and renumber the existing clause (f) as clause (e).

8. Amendment of Section 17 of Assam Act XXVII of 1948 :-

Delete the words beginning with "but one-third of the members" and ending with "as prescribed" occurring in the second and third line of Section 17 of the Principal Act and add a colon after the word "years" occurring in the second line.

9. Amendment of Section 18 of Assam Act XXVII of 1948 :-

Delete the word "ordinarily" occurring in the sixth line of Section 18 of the Principal Act.

10. Amendment of Section 31 of Assam Act XXVII of 1948 :-

(1) After sub-section (3) of Section 31 of the Principal Act, the following shall be inserted as sub-section (4) namely:--

"(4) the taking of curative and preventive measures in respect of an epidemic;"

(2) The existing sub-sections (4), (5), (6), (7), (8), (9), (10), (11), (12), (13) and (14) shall be renumbered as sub-sections (5), (6),

(7), (8), (9), (10), (11), (12), (13), (14) and (15) respectively.

(3) After sub-section (15) so renumbered, the following shall be insert-ed as sub-section (16), namely:--

"(16) registration of births, deaths and marriages and maintenance of registers for the purpose; "

(4) The existing sub-sections (15), (16), (17), (13), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31) and (32) shall be renumbered as sub-sections (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), and (34) respectively.

(5) Delete the words "Improvement of Cattle-breeding" of sub-section (18) so renumbered and substitute the following as sub-section (18), namely:--

"(18) Prevention of cattle mortality and improvement of breeding".

11. Amendment of sub-section (2) of Section 59 of Assam Act XXVII of 1948 :-

(1) Delete the words "Chapter VI of the Assam Local Self-Government Act, 1915" occurring in the sixth and the seventh line under sub-section 2(1) of Section 59 and substitute the following, namely:--

"Chapter III of the Assam Local Self-Government Act, 1953".

(2) Delete the words "and cart taxes" occurring in the fifth line of sub-section 2(iv) of Section 59 of the Principal Act, and insert the word "and" between the words "bazaars" and "tolls" and delete the "," after the word "bazaars".

32. Amendment of sub-section (1) of Section 60 of Assam Act XXVII of 1948.--

Delete the words beginning with "In consultation with" and ending with "Panchayats", and substitute the word "the" before the words "Deputy Commissioner" in the third line of sub-section (1) of Section 60, with the word "The".