
Manipur Panchayati Raj (Amendment) Act, 1996

5 of 1996

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Manipur Panchayati Raj (Amendment) Act, 1996

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An Act to amend the Manipur Panchayati Raj, Act, 1994 (No.20 of 1994) Be it enacted by the Legislature of Manipur in the forty Seventh year of the Republic of India as follows :-

1. Short Title And Commencement :-

- 1) This Act may be called the (Manipur Panchayati Raj Amendment) Act, 1996.
- 2) It shall be deemed to come into force with effect from the 17th day of September, 1996.

2. Amendment Of Section 3 :-

In section 3 of the Manipur Panchayati Raj Act, 1994, (herein after referred to as the Act):

(a) Sub-section (1) shall be re-numbered as (1-A) and the following new sub-section (1-B) and (1-C) shall be inserted namely:-

"(1-B) The State Government shall by Notification in the Official Gazette, establish a Gram Sabha for a village or a group of adjoining villages having population of not less than three thousand and not more than six thousand subject to such variation not being larger than two thousand, as may be necessary on consideration of the local situation.

(1-C) A notification under this section shall specify the name of the Gram Sabha by which it shall be known and shall define the limits of the area within its jurisdiction."

(b) After sub-section (2), the following new sub-section (3) shall be inserted, namely :-(3) Every member of the Gram Sabha unless disqualified under this Act or any other law for the time being in force, be qualified to vote at the election of the members of a Gram Panchayat and Pradhan of the Gram Sabha and also at the election of the directly elected members of the Zilla Parishad constituency in the area of which the Gram Sabha lies."

3. Amendment Of Section 7 :-

After sub-section (2) of Section 7 of the Act, the following proviso shall be inserted, namely :-

" Provided that no quorum shall be necessary for a meeting adjourned for want of quorum, for the second time."

4. Amendment Of Section 17 :-

In section 17 of the Act, for the figure "350", the figure "600" shall be substituted.

5. Amendment Of Section 18 :-

In Sub-section (1) of section 18 of the Act :-

(a) for clause (1), the following shall be substituted, namely:-

"(i) Divide the area of the Gram Sabha into territorial constituencies".

(b) clause (ii) shall be deleted.

6. Amendment Of Section 22 :-

In section 22 of the Act:-

- (a) sub-clause (ii) of clause (b) of sub-section (1) shall be deleted.
- (b) In sub-section (2), the words "or an Administrator" shall be deleted.
- (c) In sub-section (3), for the words "cease", the word "continue shall be substituted and the words" or an administrator" and "or Administrator, as the case may be" shall be deleted.
- (d) In sub-section (4) the words "or Administrator", "or the Administrator" and "or the Administrator, as the case may be" shall be deleted.
- (e) after sub-section (4), the following sub-section (5) shall be inserted, namely:-

"(5) Notwithstanding anything contained in the Act, if the State Government is satisfied that the first elections to Gram Panchayats after the commencement of this Act can not be held, the State Government may appoint Administrative Committees to exercise the powers and to perform the duties and functions of the Gram Panchayat for a period not exceeding six months".

7. Amendment Of Section 25 :-

In Section 25 of the Act:-

- (a) for clause (i), the following shall be substituted, namely :-
 - (i) "such number of offices of Pradhan of Gram Panchayat in the district for scheduled castes and scheduled tribes and the number of offices so reserved shall bear as nearly as may be the same proportion to the total number of offices in the district as the population of the scheduled castes or scheduled tribes in the district bears to the total population of that district",
- (b) in clause (ii), the words "and up-pradhan, as the case may be", shall be deleted.

8. Amendment Of Section 30 :-

For sub-section (1) of Section 30 of the Act, the following shall be substituted, namely :-

- (1) (a) Every Pradhan shall be deemed to have vacated forthwith if the resolution expressing want of confidence in him is passed by a majority of not less than two-third of the members of the Gram Sabha present and voting at the meeting specially convened for the purpose. The requisitions for such a special meeting shall be signed by not less than half of the total number of members of the Gram Sabha then on the roll and shall be delivered to the prescribed

authority. The prescribed authority shall, within seven days from the date of receipt of requisitions, convene a special meeting of the Gram Sabha. The meeting shall be held by issuing ten clear days notice. The meeting shall be presided over by the prescribed authority or an official nominated by him for the purpose.

(b) Every Up-pradhan shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed by a majority of not less two-third of the members of the Gram Panchayat present and voting, at a meeting specially convened for the purpose. The requisitions of such a special meeting shall be signed by not less than half of the total numbers of members of the Gram Panchayat then on the roll and shall be delivered to the prescribed authority. The prescribed authority shall, within seven days from the date of receipt of the requisition, convene a special meeting of the Gram Panchayat. The meeting shall be held by issuing seven days clear notice. The meeting shall be presided over by an official nominated by him for the purpose.

(c) No motion of no confidence under clause (a) or (b) shall be moved against the Pradhan or the Up-pradhan in the initial two years of their respective terms. If the motion of no confidence is once rejected, no fresh motion of no confidence shall be brought within a period of one year from the date of such rejection of the motion".

9. Substitution Of Section 35 :-

For Section 35 the following shall be substituted, namely:-

"35. The Gram Panchayat shall perform such functions which may lie within their competence and jurisdiction to be specified by the Government, in respect of items enumerated in the Eleventh Schedule of the Constitution of India. The functions specified by the Government shall be published in the Official Gazette".

10. Amendment Of Section 38 :-

In clause (a) of sub-section (2) of Section 38 of the Act, for the sentence " The Pradhan shall be the ex-officio member and Chairman of the Social Justice Committee", the sentence "The Up-pradhan shall be the ex-officio member and Chairman of the Social Justice Committee" shall be substituted.

11. Amendment Of Section 49 :-

For the second proviso to Section 49 the following shall be substituted, namely:-

"provided further that all the members of Zilla Parishad whether elected or not from territorial constituencies in the Zilla Parishad area shall have the right to vote in the meeting of the Zilla Parishad except in the election of Adhyaksha and Up-Adhyaksha, in the case of which only the elected members shall have the right to vote.

12. Amendment Of Section 50 :-

In Section 50 of the Act -

(a) in sub-section (1), for the figure "15,000", the figure "18,000" shall be substituted.

(b) for clauses (a) and (b) of sub-section (2) the following shall be substituted, namely:-

"(a) divide the area of Zilla Parishad into territorial constituencies;

(b) each constituency shall elect one member by direct election to the Zilla Parishad".

13. Amendment Of Section 52 :-

In sub-section (1) of Section 52 of the Act, for the words "seats shall bear", the words "seats so reserved shall bear" shall be substituted.

14. Amendment Of Section 54 :-

For clause (a) and (b) of sub-section (2) of Section 54 of the Act, the following shall be substituted, namely -

"(a) such number of offices of the Adhyaksha of Zilla Parishad in the State for persons belonging to the Scheduled Castes and Scheduled Tribes and the number of offices so reserved shall bear as nearly as may be, the same proportion to the total number of offices of Adhyaksha in the Zilla Parishad as the population of the Scheduled Castes or Scheduled Tribes in the Zilla Parishad areas in the State bears to the total population of the Zilla Parishad areas in the State;

(b) not less than one-third of the total number of offices of the Adhyaksha for women.

15. Amendment Of Section 57 :-

In sub-section (4) of Section 57 of the Act, for the words "one-fifth", the words "one-half" shall be substituted.

16. Amendment Of Section 61 :-

For section 61 of the Act, the following shall be substituted, namely -

"61. The Zilla Parishad shall perform such functions with such powers and authority as may be specified therein by the State Government in the Official Gazette in respect of items enumerated in the Eleventh Schedule of the Constitution of India".

17. Amendment Of Section 65 :-

In sub-section (4) of Section 65 of the Act, the words "not" shall be deleted.

18. Amendment Of Section 76 :-

After sub-section (2) of Section 76 of the Act, the following new sub-section "(2-a)" shall be inserted, namely:-

"(2-a) The Chief Executive Officer shall also be the ex-officio Secretary of the Zilla Parishad".

19. Amendment Of Section 96 :-

For sub-section (5) of Section 96 of the Act, the following shall be substituted, namely:-

"(5) The Adhyaksha of the Zilla Parishad shall be the Chairman of the District Planning Committee."

20. Amendment Of Section 100 :-

In Section 100 of the Act, after the words "of the Gram Panchayat", the words "or Zilla Parishad" shall be inserted.