

Gujarat Panchayats (Amendment) Act, 1968

1 of 1968

[07 February 1968]

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Gujarat Panchayats (Amendment) Act, 1968

1 of 1968

[07 February 1968]

An Act further to amend the Gujarat Panchayats Act, 1961 for certain purposes. It is hereby enacted in the Nineteenth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Gujarat Panchayats (Amendment) Act, 1968.

(2) This section and section 6 shall be deemed to have come into force on 1st February, 1968 and the remaining provisions of this Act shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment Of Section 2 Of Guj. Vi Of 1962 :-

In section 2 of the Gujarat Panchayats Act, 1961 (hereinafter referred to as "the principal Act"),-

(1) to clause (5) the following Explanation shall be added, namely:-
"Explanation.-For the purposes of clause (5), a Government Officer includes a Government Officer posted under a panchayat under section 122, 142 or 207;"

(2) after clause (8), the following clause shall be Inserted, namely:
-

"(8A) "Election Authority" means-

(a) in the case of an election to a gram panchayat, the Taluka Development Officer,

(b) in the case of an election to a nagar panchayat or taluka panchayat, the District Development Officer, and

(c) in the case of an election to a district panchayat, the State Government or such officer as may be authorised by the State Government by notification in the Official Gazette;"

(3) after clause (24), the following clause shall be inserted, namely: - "(24AA) "public street" means any street-

(a) over which the public have a right of way, or

(b) heretofore levelled, paved, metalled, channelled, served or

repaired out of a panchayat fund or other public fund, or

(c) which under the provisions of this Act is declared by a panchayat to be or which under the provisions of this Act becomes a public street;"

(4) after clause (34), the following clause shall be inserted, namely :-

"(34A) "vehicle" includes a bicycle, tricycle, motor car and every wheeled conveyance which is used or capable of being used on a public street;"

3. Amendment Of Section 7 Of Guj. Vi Of 1962 :-

In section 7 of the principal Act,-

(1) in sub-section (5), for the words "or have been acquired by it" the words "or have been acquired or constructed by it" shall be substituted;

(2) after sub-section (5), the following Explanation shall be inserted, namely: -

"Explanation-Where a panchayat constructs any building or other work by way of remunerative assets, such construction shall be deemed to be for the purpose of this Act."

4. Amendment Of Section 8 Of Guj. Vi Of 1962 :-

In section 8 of the principal Act,-

(1) in sub-section (1), the words "or nagar panchayat shall" shall be deleted and after the words "district panchayat" the words "and a nagar panchayat subject to the authority of the district panchayat shall" shall be inserted;

(2) in sub-section (2), the following proviso shall be added, namely: -

"Provided that a district panchayat or, as the case may be, a taluka panchayat shall have also authority over such area outside the area for which, it is constituted for such purposes as the State Government may by notification in the Official Gazette specify,"

(3) in sub-section (5)- (a) in clause (a), the words "or nagar panchayat" shall be deleted;

(b) in clause (b), for the words "a taluka panchayat" the words "a nagar panchayat or a taluka panchayat" shall be substituted;

(4) in sub-section (4), for the words "A district panchayat" the words "Subject to the control of the State Government and the competent authority, a district panchayat" shall be substituted.

5. Amendment Of Section 9 Of Guj. Vi Of 1962 :-

In section 9 of the principal Act,-

(1) in sub-section (i)-

(a) in clause (a), for the figures "30,000" the figures "20,000" shall be substituted;

(b) the following proviso shall be inserted at the end, namely:-

"Provided that if in the case of a local area, which is eligible for being declared as a gram under clause (b), the State Government, having regard to the urban development of such area, is of the opinion that the local area should be declared to be a nagar, the State Government may declare the local area to be a nagar.";

(2) in sub-section (2), in clause (c), for the words "to be a gram or two or more grams" the words "to be a gram or split up the area comprised in the nagar into a nagar and a gram or into two or more grams" shall be substituted.

6. Amendment Of Section 14 Of Guj. Vi Of 1962 :-

In section 14 of the principal Act,-

(1) in sub-section (1)-

(a) for the words "the following ex-officio, elected" the words "the following ex-officio" shall be substituted;

(b) the heading "(B) Elected members" and clause (iii) shall be deleted;

(c) under the heading "(D) Associate members" after clause (xi), the following clauses shall be inserted, namely: -

"(xii) a representative of the District Co-operative Union as may be nominated by the Managing Board of the Union:

Provided that the representative to be so nominated shall be a person ordinarily residing in the taluka.

(xiii) a representative of the District Co-operative Bank as may be nominated by the Managing Board of the Bank :

Provided that the representative to be so nominated shall be a person ordinarily residing in the taluka.";

(2) in sub-section (2), for the words "ex-officio, elected" the word "ex-officio" shall be substituted.

(3) after sub-section (3), the following sub-section shall be inserted, namely: -

"(3A) Where a Sarpanch of a gram panchayat or Chairman of a nagar panchayat is elected as the Vice-President of the taluka panchayat, he shall not vacate the office of the Vice-President

merely by reason of the expiry of the term of the gram panchayat or, as the case may be, nagar panchayat, if in the election held by reason of such expiry he is re-elected as a Sarpanch of the gram panchayat or, as the case may be, Chairman of the nagar panchayat.";

(4) in sub-sections (4) and (5) the word "elected" shall be deleted.

7. Amendment Of Section 15 Of Guj. Vi Of 1962 :-

In section 15 of the principal Act, in sub-section (1)-

(1) for the words "elected, co-opted and associate members" the words "elected and associate members" shall be substituted;

(2) the heading "(C) Co-opted members" and clause (iv) shall be deleted;

(3) under the heading "(D) Associate members" after clause (ix), the following clauses shall be inserted, namely: -

"(x) one of the directors of the Managing Board of the District Co-operative Bank as may be nominated by the Board;

(xi) a representative of the District Co-operative Union as may be nominated by the Managing Board of the Union;

(4) in sub-section (2), for the words "appointed and co-opted" the words "and appointed" shall be substituted.

(5) after sub-section (3), the following sub-section shall be inserted, namely: -

"(3A) Where a Sarpanch of a gram panchayat or a Chairman of a nagar panchayat, being an ex-officio member of a taluka panchayat is elected as a member of the district panchayat and thereafter is elected as the President of the district panchayat or the Chairman of the Education Committee of such panchayat, he shall cease to be such Sarpanch or, as the case may be, Chairman but shall continue to be an ex-officio member of the district panchayat so long as he continues to be the President of the district panchayat or the Chairman of the Education Committee.";

(6) in sub-section (4), for the words "ex-officio, elected or co-opted" the words "ex-officio or elected" shall be substituted.

8. Insertion Of New Section 15B In Guj. Vi Of 1962 :-

In the principal Act, after section 15A the following section shall be inserted, namely: -

"15B. Location of headquarters of district or taluka.--

(1) Save as expressly authorised by the State Government -

(i) the headquarters of a district shall be located within the limits of

the City, municipal borough, gram or nagar in which the headquarters of the corresponding revenue district are located, and (ii) the headquarters of a taluka shall be located within the limits of the City, municipal borough, gram or nagar in which the headquarters of the corresponding revenue taluka are located.

(2) Where the headquarters of a district or taluka are located in a City or municipal borough, the provisions of this section shall have effect notwithstanding that the area within the limits of such City or municipal borough is not included in the district or, as the case may be, taluka and it shall be lawful for the district panchayat of the district or, as the case may be, the taluka panchayat of the taluka to hold property in such City or, as the case may be, municipal borough."

9. Amendment Of Section 17 Of Guj.Vi Of 1962 :-

In section 17 of the principal Act, in sub-section (1), for the words "four years" the words "five years" shall be substituted.

10. Amendment Of Section 18 Of Guj .Vi Of 1962 :-

In section 18 of the principal Act,-

(1) in sub-section (1), for the words "in the case of a taluka panchayat or district panchayat, the District Development Officer and in the case of a gram panchayat or nagar panchayat, the Taluka Development Officer" the words "the Election Authority" shall be substituted;

(2) in sub-section (3), for the words "in the case of a taluka panchayat or district panchayat by the District Development Officer and in the case of a gram panchayat or nagar panchayat by the Taluka Development Officer" the words "by the Election Authority" shall be substituted.

11. Amendment Of Section 19 Of Guj. Vi Of 1962 :-

In section 19 of the principal Act, in clause (a) of sub-section (1), for the words "nagar panchayat or taluka panchayat" the words "or nagar panchayat" shall be substituted.

12. Amendment Of Section 22A Of Guj. Vi Of 1962 :-

In section 22A of the principal Act, in the proviso to sub-section (2A), the following shall be added at the end, namely: -

"unless the seat so held is in another panchayat and the term of

that panchayat is to expire within a period of four months from the date on which he is so chosen".

13. Deletion Of Section 22B Of Guj. Vi Of 1962 :-

Section 22B of the principal Act shall be deleted.

14. Amendment Of Section 23 Of Guj .Vi Of 1962 :-

Section 23 of the principal Act shall be renumbered as sub-section (1) of that section and in sub-section (i) as so renumbered -

(1) (i) in clause (g), for the words "a panchayat" the words "the panchayat" shall be substituted and the words "or any panchayat subordinate thereto" shall be deleted;

(ii) for clause (i), the following shall be substituted, namely: -

"(i) fails to pay any arrears of any kind due by him to the panchayat or any panchayat subordinate thereto or any sum recoverable from him in accordance with Chapter VI of this Act, within three months after a special notice in accordance with the rules made in this behalf has been served upon him; or";

(iii) in Explanation 1, in clause (d), the word "or" shall be added at the end and after clause (d), the following clauses shall be inserted, namely: -

"(e) having any share or interest in any lease of immovable property in which the amount of rent has been approved by the taluka panchayat in the case of a gram panchayat, by the district panchayat in the case of a nagar panchayat or taluka panchayat or by the district panchayat in its own case or in any sale or purchase of immovable property or in any agreement for such lease, sale or purchase; or

(f) having a share or interest in the occasional sale to the panchayat of any article in which he regularly trades or in the purchase from the panchayat of any article, to a value in either case not exceeding in any year one thousand rupees; or

(g) merely being a relative of a person in employment with or under or by or on behalf of the panchayat.";

(iv) in Explanation 2, -

(a) in clause (i) for the words "the amount of any tax, fee or sum due" the words, brackets and letter "the arrears or the sum referred to in clause (i) of this sub-section" shall be substituted;

(b) in clause (ii), for the words "any tax, fee or sum due" the words, brackets and letter "the arrears or the sum referred to in clause (i) of this sub-section" shall be substituted;

(2) after sub-section (1), the following sub-section shall be inserted, namely: -

"(2) The provisions of sub-section (1) shall apply to a person co-opted or to be co-opted to the Education Committee of a district panchayat as they apply to a person for being a member, or continuing as a member, of a panchayat."

15. Amendment Of Section 24 Of Guj. Vi Of 1962 :-

In section 24 of the principal Act, in sub-section (1), for the words "brought in question by any person" the words "brought in question by any person contesting the election or by any person" shall be substituted.

16. Amendment Of Section 25 Of Guj. Vi Of 1962 :-

In section 25 of the principal Act, after sub-section (2), the following subsection shall be inserted, namely:-

"(3) The provisions of this section shall apply to a co-opted member of the Education Committee of a district panchayat as if such member were a member of the district panchayat."

17. Amendment Of Section 35 Of Guj. Vi Of 1962 :-

In section 35 of the principal Act, for the words "the competent authority" the words "the State Government" shall be substituted.

18. Amendment Of Section 43 Of Guj. Vi Of 1962 :-

In section 43 of the principal Act,-

(1) in sub-section (1), the words "or a district panchayat, as the case may be" shall be deleted;

(2) in sub-section (2), the words "or district panchayat" where they occur at two places shall be deleted and for the words "the relevant panchayat" the words "the panchayat" shall be substituted;

(3) after sub-section (4), the following sub-section shall be inserted, namely : - "(5) A casual vacancy of a co-opted member shall be filled in the prescribed manner."

19. Amendment Of Section 43A Of Guj. Vi Of 1962 :-

In section 43A of the principal Act, in sub-section (2), for the words "the relevant panchayat" the words "the panchayat" shall be substituted.

20. Insertion Of Section 43B In Guj. Vi Of 1962 :-

After section 43A of the principal Act, the following section shall be inserted, namely: -

"43B.

(1) In the event of a dispute arising as to the validity of a co-optation of any member made under section 43 or made to fill a casual vacancy of a co-opted member, the dispute shall be referred within a period of thirty days from the date of the declaration of the result of the co-optation to the competent authority for decision, unless it is alleged that the member so co-opted is liable to be disabled from continuing as a member under section 25.

(2) The decision of the competent authority under sub-section (1) shall be final and no suit or other proceeding shall lie against it in any court."

21. Amendment Of Section 46 Of Guj. Vi Of 1962 :-

In section 46 of the principal Act, after sub-section (3), the following subsection shall be inserted, namely: -

"(4) If any dispute regarding any resignation arises, it shall be referred for decision to such officer as the State Government may by general or special order appoint in that behalf and the decision of such officer shall be final:

Provided that no such dispute shall be entertained after the expiry of a period of thirty days from the date on which the resignation took effect."

22. Amendment Of Section 47 Of Guj. Vi Of 1962 :-

In section 47 of the principal Act, in clause (c) of sub-section (2), for the words "ten rupees" the words "fifty rupees" shall be substituted.

23. Amendment Of Section 48 Of Guj. Vi Of 1962 :-

In section 48 of the principal Act,-

(1) in sub-section (4), for the words "such officer as the Taluka Development Officer" the words "such officer as the Taluka Development Officer in the case of a gram panchayat or as the District Development Officer in the case of a nagar panchayat" shall be substituted;

(2) after sub-section (4), the following sub-section shall be

inserted, namely : -

"(5) (a) Notwithstanding anything contained in section 80, a meeting of the panchayat for dealing with a motion of no confidence under this section shall be called within a period of fifteen days from the date on which a notice of such motion is received by the panchayat.

(b) If the Sarpanch or, as the case may be, the Chairman fails to call such meeting, the Secretary of the panchayat shall make a report thereof to the competent authority and thereupon the competent authority shall call a meeting of the panchayat within a period of fifteen days from the date of the receipt of the report."

24. Amendment Of Section 53 Of Guj. Vi Of 1962 :-

In section 53 of the principal Act, in sub-section (3), for the words "such officer as the Taluka Development Officer" the words "such officer as the Taluka Development Officer in the case of a gram panchayat or as the District Development Officer in the case of a nagar panchayat" shall be substituted.

25. Amendment Of Section 56 Of Guj. Vi Of 1962 :-

In section 56 of the principal Act, in sub-section (4), the words "and members co-opted to the Education Committee of the panchayat" shall be deleted.

26. Amendment Of Section 57 Of Guj. Vi Of 1962 :-

In section 57 of the principal Act, in sub-section (1), the proviso shall be deleted.

27. Amendment Of Section 58 Of Guj. Vi Of 1962 :-

In section 58 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely: -

"(4) if any dispute regarding any resignation arises it shall be referred for decision to such officer as the State Government may by general or special order appoint in that behalf and the decision of such officer shall be final:

Provided that no such dispute shall be entertained after the expiry of a period of thirty days from the date on which the resignation took effect."

28. Amendment Of Section 60 Of Guj. Vi Of 1962 :-

In section 60 of the principal Act, after sub-section (4), the following subsection shall be inserted, namely: -

"(5) (a) Notwithstanding anything contained in section 110, a meeting of the panchayat for dealing with a motion of no confidence under this section shall be called within a period of fifteen days from the date on which a notice of such motion is received by the panchayat.

(b) If the President of the panchayat fails to call such meeting, the Secretary of the panchayat shall make a report thereof to the competent authority and thereupon the competent authority shall call a meeting of the panchayat within a period of fifteen days from the date of the receipt of the report."

29. Amendment Of Section 65 Of Guj. Vi Of 1962 :-

In section 65 of the principal Act, in sub-section (1)-

(1) for the words "according as the vacancy is in the office of an elected or co-opted member, by election or co-option of a" the words "by co-optation of a" shall be substituted;

(2) in the first proviso, for the words "elected or co-opted" wherever they occur the word "co-opted" shall be substituted.

30. Amendment Of Section 67 Of Guj. Vi Of 1962 :-

In section 67 of the principal Act, in sub-section (2), for the words and figures "the date of the preliminary meeting held under section 43" the words and figures "the date on which the names of members elected at the general election are published under section 18" shall be substituted.

31. Amendment Of Section 68 Of Guj. Vi Of 1962 :-

In section 68 of the principal Act, in sub-section (4), for the words "Vice-President and members of the panchayat" the words "Vice-President, members of the Panchayat and members co-opted to the Education Committee of the panchayat" shall be substituted.

32. Amendment Of Section 69 Of Guj. Vi Of 1962 :-

In section 69 of the principal Act, in sub-section (1) for the proviso, the following proviso shall be substituted, namely : -

"Provided that if any person who in his capacity as a member of a taluka panchayat has been elected as a member of the district

panchayat, under clause (ii) of sub-section (1) of section 15, ceases to be a member of the taluka panchayat, he shall cease to be a member of the district panchayat also."

33. Amendment Of Section 70 Of Guj. Vi Of 1962 :-

In section 70 of the principal Act, after sub-section (3), the following subsection shall be inserted, namely: -

"(4) If any dispute regarding any resignation arises it shall be referred for decision to such officer as the State Government may by general or special order appoint in that behalf and the decision of such officer shall be final:

Provided that no such dispute shall be entertained after the expiry of a period of thirty days from the date on which the resignation took effect."

34. Amendment Of Section 72 Of Guj. Vi Of 1962 :-

In section 72 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely: -

"(5) (a) Notwithstanding anything contained in section 130 a meeting of the panchayat for dealing with a motion of no confidence under this section shall be called within a period of fifteen days from the date on which a notice of such motion is received by the panchayat.

(6) If the President of the panchayat fails to call such meeting, the Secretary of the panchayat shall make a report thereof to the competent authority and thereupon the competent authority shall call a meeting of the panchayat within a period of fifteen days from the date of the receipt of the report."

35. Amendment Of Section 73 Of Guj. Vi Of 1962 :-

In section 73 of the principal Act, in sub-section (1), for the words "an associate member" the words "an associate member, or any member of the Education Committee thereof shall be substituted.

36. Amendment Of Section 75 Of Guj. Vi Of 1962 :-

In section 75 of the principal Act,-

(1) in sub-section (1), after the words "or Vice-President" the words "or Chairman of the Education Committee" shall be inserted;

(2) in sub-section (2)-

(i) after the words "or Vice-President" the words "or Chairman"

shall be inserted;

(ii) for the words "President or, as the case may be, Vice-President" the words "President, Vice-President or, as the case may be, Chairman" shall be substituted;

(iii) after the words "or a Vice-President" the words "or a Chairman, as the case may be" shall be inserted;

(3) in the marginal note, after the words "or Vice-President" the words "or Chairman of the Education Committee" shall be inserted.

37. Amendment Of Section 77 Of Guj. Vi Of 1962 :-

In section 77 of the principal Act, in sub-section (1)-

(1) the words "according as the vacancy is in the office of an elected or co-opted member by election or co-option of a" shall be deleted;

(2) the words "or co-opted" wherever they occur shall be deleted.

38. Amendment Of Section 81 Of Guj. Vi Of 1962 :-

In section 81 of the principal Act,-

(1) for sub-section (1), the following sub-section shall be substituted, namely: -

"(1) A gram panchayat may constitute one or more committees for exercising such of its powers and performing such of its functions and duties as the panchayat may assign to the committees so constituted.";

(2) in sub-section (2), for the words "Each Committee shall consist of" the words "Where any such Committee is constituted, it shall consist of" shall be substituted;

(3) after sub-section (2), the following sub-section shall be inserted, namely: -

"(2A) Where any committee is constituted under sub-section (1), its term shall be two years and on the expiry of the term, the committee may be reconstituted from time to time for a like term: Provided that where the rest of the term of panchayat during which a committee is constituted or reconstituted is less than two years, the term of the committee shall be co-extensive with the rest of the term of the panchayat.".

39. Amendment Of Section 82 Of Guj. Vi Of 1962 :-

In section 82 of the principal Act,-

(1) in sub-section (1), the words "for each year" shall be deleted

and clauses (ii) and (iv) shall be deleted;

(2) after sub-section (1), the following sub-section shall be inserted, namely: -

"(1A) In addition to the Committees specified in sub-section (1), a nagar panchayat may constitute any other committee or committees not exceeding three for exercising such of its powers and performing such of its functions and duties as the panchayat may determine.";

(3) in sub-section (2), after clause (ii), the following clause shall be inserted, namely: -

"(iii) A. committee constituted under sub-section (1A) shall consist of such number of members as the panchayat may determine. The members shall be elected by the panchayat from amongst its members.";

(4) after sub-section (3), the following sub-section shall be inserted, namely: -

"(3A) The term of a Committee constituted under sub-section (1) or (1A) shall be two years and on the expiry of the term, the committee, if it be a committee constituted under sub-section (1) shall be reconstituted and if it be a committee constituted under sub-section (1A) may be reconstituted for a like term:

Provided that where the rest of the term of the panchayat during which a committee is constituted or reconstituted is less than two years, the term of the committee shall be coextensive with the rest of the term of the panchayat.".

40. Amendment Of Section 83 Of Guj. Vi Of 1962 :-

In section 83 of the principal Act, in sub-section (1),-

(1) for the words "two meetings" the words "two ordinary meetings" shall be substituted;

(2) after the words "as may be prescribed" the words "but in no case the intervening period between two ordinary meetings shall be less than three months" shall be inserted;

(3) in the proviso, for the words "call a meeting" the words "call an extraordinary meeting" shall be substituted.

41. Amendment Of Section 89 Of Guj. Vi Of 1962 :-

In section 89 of the principal Act,-

(1) in the proviso to sub-section (3), for the words "previous sanction of the taluka panchayat" the words and figure "previous sanction of the panchayat to which it is subordinate under section

8" shall be substituted;

(2) in sub-section (5), after the words "competent authority" the following shall be inserted, namely: -

"and in case the panchayat fails to carry out any direction or order so given or issued it shall be lawful for the State Government to withhold the payment to the panchayat of all or any of the grants payable under Chapter X after the Panchayat has been given a reasonable opportunity of being heard."

42. Amendment Of Section 93 Of Guj. Vi Of 1962 :-

In section 93 of the principal Act, in sub-section (2), for the words "to the President of the taluka panchayat" the words "to the district panchayat where the order of refusal has been made by a nagar panchayat and to the taluka panchayat where the order of refusal has been made by a gram panchayat" shall be substituted.

43. Amend Ment Of Section 103 Of Guj.Vi Of 1962 :-

In section 103 of the principal Act, the following proviso shall be added, namely: -

"Provided that where any gram panchayat or nagar panchayat fails in any year to make a contribution under this section, it shall be lawful for the State Government to deduct such amount from the grant payable to the panchayat under section 195 in the next succeeding year as may be sufficient to make the contribution and credit the same to the District Development Fund on behalf of the gram panchayat or, as the case may be, nagar panchayat."

44. Amendment Of Section 104 Of Guj. Vi Of 1962 :-

In section 104 of the principal Act,-

(1) in sub-section (1), for the words "and forward it to the taluka panchayat on or before such date as may be prescribed" the following shall be substituted, namely: -

"and the panchayat if it be a gram panchayat shall forward the budget estimate to the taluka panchayat and if it be a nagar panchayat shall forward the budget estimate to the district panchayat, on or before such date as may be prescribed";

(2) in sub-section (2), for the words "The taluka panchayat" the words "The taluka panchayat or, as the case may be, the district panchayat" shall be substituted;

(3) in sub-section (3), for the words "by the taluka panchayat" the

words "by the taluka panchayat or, as the case may be, the district panchayat" shall be substituted.

45. Amendment Of Section 105 Of Guj. Vi Of 1962 :-

In section 105 of the principal Act, in the proviso to sub-section (1), for the words "the taluka panchayat" the words "the taluka panchayat or, as the case may be, the district panchayat" shall be substituted.

46. Amendment Of Section 106 Of Guj. Vi Of 1962 :-

In section 106 of the principal Act, in sub-section (2), for the words "to the President of the taluka panchayat" the words "to the district panchayat, in the case of a nagar panchayat and to the taluka panchayat, in the case of a gram panchayat" shall be substituted.

47. Amendment Of Section 109 Of Guj. Vi Of 1962 :-

In section 109 of the principal Act,-

(1) in sub-section (1), for the words "and the taluka panchayat" the words "and to the taluka panchayat in the case of a gram panchayat and to the district panchayat in the case of a nagar panchayat" shall be substituted;

(2) in sub-sections (2), (3), (4) and (5), for the words "the taluka panchayat" wherever they occur the words "the taluka panchayat or, as the case may be, district panchayat" shall be substituted;

(3) in sub-sections (4) and (7) for the words "The taluka panchayat" wherever they occur, the words "The taluka panchayat or, as the case may be, district panchayat" shall be substituted.

48. Amendment Of Section 111 Of Guj. Vi Of 1962 :-

In section 111 of the principal Act,-

(1) in sub-section (1),

(a) clauses (i), (iii), (iv), (v) and (vi) shall be deleted;

(b) in clause (vii), the words "except the Education Committee" shall be deleted;

(2) after sub-section (1), the following sub-section shall be inserted, namely: -

"(1A) In addition to the Executive Committee and the Production Committee, a taluka panchayat may constitute any other committee, or committees not exceeding five to exercise such of its powers and perform such of its functions and duties as the

panchayat may determine.";

(3) in sub-section (2),

(a) clause (i) shall be deleted and in clause (iii) for the words, brackets and figure "Each of the other committees mentioned in sub-section (1)" the words "The Production Committee" shall be substituted and for the words "each such committee" the words "the committee" shall be substituted;

(b) after clause (iii), the following clause shall be inserted, namely:-

"(iv) A committee constituted under sub-section (1A) shall consist of such number of members as the panchayat may determine. The members shall be elected by the panchayat from amongst its members.";

(4) sub-section (4) shall be deleted;

(5) for sub-section (6), the following shall be substituted, namely: -

"(6) The term of a committee constituted under sub-section (1) or (1A) shall be two years and on the expiry of the term, the committee if it be a committee constituted under sub-section (1), shall be reconstituted and if it be a committee constituted under sub-section (1A) may be reconstituted for a like term :

Provided that where the rest of the term of the panchayat, during which a committee is constituted or reconstituted, is less than two years, the term of the committee shall be coextensive with the rest of the term of the panchayat."

49. Amendment Of Section 112 Of Guj. Vi Of 1962 :-

In section 112 of the principal Act,-

(1) sub-section (1) shall be deleted;

(2) in sub-section (2), for the words "Other committees" the words "The committees" shall be substituted;

(3) in sub-section (3), the words "other than the Education Committee" shall be deleted.

50. Amendment Of Section 117 Of Guj. Vi Of 1962 :-

In section 117 of the principal Act, the following shall be added at the end, namely: -

"A taluka panchayat shall also discharge the duties specified in Part II of Schedule II."

51. Insertion Of New Section 118A In Guj. Vi Of 1962 :-

In the principal Act, after section 118, the following section shall be inserted, namely: -

"118A. Entrustment of work etc. to taluka panchayat by district panchayat.--In the case of any institution managed by a district panchayat or of any work to be done out of the fund of a district panchayat, the district panchayat may, if the taluka panchayat so agrees, entrust to the taluka panchayat the management of such institution or the execution of such work."

52. Amendment Of Section 131 Of Guj. Vi Of 1962 :-

In section 131 of the principal Act,-

(1) in sub-section (1), clauses (iv), (v) and (vi) shall be deleted;

(2) after sub-section (1), the following sub-section shall be inserted, namely: -

"(1A) In addition to the committees specified in sub-section (1), a district panchayat may constitute any other committee or committees not exceeding three to exercise such of its powers and perform such of its functions and duties as the district panchayat may determine.";

(3) in sub-section (2)-

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

"(i) The Education Committee shall consist of eleven members out of which-

(A) eight members shall be elected by the district panchayat from amongst its members as follows: -

(a) one woman from amongst the women members of the panchayat;

(b) one person from amongst the members of the Scheduled Castes holding membership of the panchayat;

(c) one person from amongst the members of the Scheduled Tribes, if any, holding membership of the panchayat;

(d) five persons or where there is no member under sub-clause (c) six persons from amongst the members of the panchayat;

(B) three members shall be co-opted in the prescribed manner by the district panchayat from amongst persons who possess the prescribed educational qualifications and are interested in educational activities and reside normally in the district.";

(b) after clause (iii), the following clause shall be inserted, namely: -

"(iv) A committee constituted under sub-section (1A) shall consist of such number of members not exceeding seven as the panchayat

may determine. The members shall be elected by the panchayat from amongst its members.";

(4) in sub-section (3), after the proviso to clause (ii), the following further proviso shall be inserted, namely: -

"Provided further that where the person so elected as Chairman of the Education Committee is also the President of the panchayat or the President of a taluka panchayat or at any time after his election as Chairman is elected as such President, he shall not be eligible to continue as the Chairman of the committee unless he chooses to vacate the office of such President and accordingly vacates that office.";

(5) after sub-section (3), the following sub-section shall be inserted, namely: -

"(3A) The persons co-opted to the Education Committee under clause (i) of sub-section (2) shall be deemed to be members thereof for all purposes but shall not be deemed to be members of the district panchayat :

Provided that where any such person is elected as Chairman of the Education Committee he shall be treated as an ex-officio member of the district panchayat so long as he holds the office of Chairman.";

(6) in sub-section (5), for clause (ii), the following clause shall be substituted, namely: -

"(ii) The term of any other committee constituted under sub-section (1) or

(1A) shall be two years and on the expiry of the term, the committee, if it be a committee constituted under sub-section (1), shall be reconstituted and if it be a committee constituted under sub-section (1A) may be reconstituted for a like term:

Provided that where the rest of the term of the panchayat, during which a committee is constituted or reconstituted, is less than two years, the term of the committee shall be co-extensive with the rest of the term of the panchayat.".

53. Insertion Of New Section 131A In Guj. Vi Of 1962 :-

After section 131 of the principal Act, the following section shall be inserted, namely: -

"131A. Dispute as to co-operation of member on Education Committee.--

(1) In the event of a dispute arising as to the validity of a co-optation of a member on the Education Committee under clause (i)

of sub-section (2) of section 131, the dispute shall be referred within a period of thirty days from the date of the declaration of the result of the co-optation to the competent authority, unless it is alleged that the member so co-opted is liable to be disabled from continuing as a member under section 25.

(2) The decision of the competent authority under sub-section (1) shall be final and no suit or other proceedings shall lie against it in any court."

54. Amendment Of Section 132 Of Guj. Vi Of 1962 :-

In section 132 of the principal Act,-

(1) in sub-section (1), the words, brackets and figures, "unless he is an ex-officio Chairman thereof under sub-section (5) of section 131" shall be deleted;

(2) after sub-section (2), the following sub-section shall be inserted, namely: -

"(3) During the leave or absence of the Chairman, the functions of the Chairman shall be performed by such member of the Education Committee as may be elected by that Committee. The member so elected and performing the functions shall be paid such honorarium and allowances as may be prescribed."

55. Insert Ion Of New Section 138A In Guj. Vi Of 1962 :-

In the principal Act, after section 138, the following section shall be inserted, namely: -

"138A. Power of district panchayat to under take works etc. on behalf of Government etc. and to give technical advice.--

(1) It shall be lawful for a district panchayat to undertake upon such terms and conditions as may be agreed upon, the construction, maintenance or repair of any work or the management of any institution on behalf of Government, any local authority, any Corporation incorporated under any law for the time being in force and owned or controlled by Government or the Court of Wards.

(2) It shall be lawful for a district panchayat to give, on such terms and conditions as may be agreed upon, technical advice and guidance to a local authority in respect of the construction of any work undertaken by such local authority."

56. Amendment Of Section 141 Of Guj. Vi Of 1962 :-

In section 141 of the principal Act, to sub-section (1), the following proviso shall be added, namely: -

"Provided that out of the net proceeds of the cess referred to in clause (g) of sub-section (2) of section 140, a portion calculated at the rate of eight paise on every rupee of every sum on which the cess is levied under section 169, shall be applied by a district panchayat for the purpose of primary education in the district.".

57. Amendment Of Section 143 Of Guj. Vi Of 1962 :-

In section 143 of the principal Act,-

(1) in sub-section (2), in sub-clause (iii) of clause (a), the words "for a period not exceeding two months" shall be deleted;

(2) after sub-section (2), the following sub-section shall be inserted, namely: -

"(2-4) (a) Save as provided in clause (b), the District Development Officer may subject to such conditions as he may think fit to impose, delegate any of his powers and functions to any officer or servant holding office under the district panchayat, provided such officer or servant is not below such rank as may be prescribed.

(b) Notwithstanding anything contained in sub-section (2), the power to draw and disburse money out of the fund referred to in clause (h) of the said sub-section shall, in so far as such drawing and disbursement of money is in respect of any matter specified in Part II of Schedule III or, dealt with under the Bombay Primary Education Act, 1947, be deemed to be delegated to and be exercised by the Administrative Officer appointed for the District Panchayat under section 21 of the Bombay Primary Education Act, 1947.".

58. Amendment Of Section 145 Of Guj. Vi Of 1962 :-

In section 145 of the principal Act, for the words, figures and letters "the 18th February" the words, figures and letters "the 31st March" shall be substituted.

59. Substitution Of Section 152 In Guj. Vi Of 1962 By New Section :-

For section 152 of the principal Act, the following section shall be substituted, namely: -

"152. Certain class of officers posted under panchayat to be revenue officers and their powers.--

(1) Notwithstanding anything contained in this Act and the Land Revenue Code, a District Development Officer, a Taluka Development Officer and such revenue officers not below the rank of a Deputy Collector as may be posted under a district panchayat and designated by the State Government in this behalf shall be deemed for the purposes of this Chapter to be revenue officers within the meaning of the Land Revenue Code and for the purposes of this Chapter it shall be lawful for the State Government to define the area within which any such officer shall exercise jurisdiction and to confer on such officer all or any of the powers exercisable by the Collector or any other revenue officer under the Land Revenue Code.

(2) Where in the case of any such officer the area of his jurisdiction has been defined and the powers are so conferred, such officer shall have and exercise the like authority over a gram panchayat or nagar panchayat functioning in such area and exercising the powers conferred on it and discharging the functions entrusted to it under this Chapter as the corresponding revenue officer appointed under the Land Revenue Code has over the village accountant or pate or other similar functionary under the Land Revenue Code."

60. Insertion Of New Section 158C In Guj. Vi Of 1962 :-

In the principal Act, after section 158B, the following section shall be inserted, namely: -

"158C. Withdrawal of powers, functions etc. from district panchayat.--Notwithstanding the transfer of any powers, functions and duties in respect of any matter to a district panchayat under section 157 or 158, the State Government on a proposal from the district panchayat in that behalf or where it is satisfied that by reason of a change in the nature of the matter such as the conversion of a primary health centre into a secondary health centre or hospital or the conversion of a seed multiplication farm into an agricultural research farm or a road becoming a part of a high way, the matter would cease to be a matter in the Panchayat Functions List and that it is necessary to withdraw from the district panchayat the powers, functions or duties in respect of such matter, may, after consultation with the State Council for panchayats, by notification in the Official Gazette, withdraw such powers, functions and duties with effect from the date specified in the notification and make such incidental and consequential orders as may be necessary to provide for matters including the taking

over of the property, rights and liabilities, if any, vesting in the panchayat under section 158A and of the staff, if any, which may have been transferred to the panchayat under section 157 or 158, as the case may be."

61. Amendment Of Section 169 Of Guj. Vi Of 1962 :-

In section 169 of the principal Act,-

(1) in sub-section (1), after the proviso, the following further proviso shall be inserted, namely: -

"Provided further that the amount of cess shall, if not a multiple of five paise be increased to the next highest multiple of five paise.";

(2) after sub-section (2), the following sub-section shall be inserted, namely: -

"(3) (a) If it appears to a district panchayat that for the purposes of its functions under Schedule III an additional provision of funds is necessary, it may by a resolution passed at its meeting apply to the State Government to increase in relation to its district, the rate of cess levied under sub-section (1) to such extent and for such period as may be specified in the resolution:

Provided that by such increase the rate of cess shall not exceed one hundred paise on every rupee on which such cess is leviable under subsection (1).

(b) On receipt of an application under clause (a) the State Government may, by notification in the Official Gazette increase the rate of the cess as proposed by the district panchayat and thereupon sub-section (1) shall have effect as if for the rate specified therein the rate as so increased had been substituted."

62. Amendment Of Section 178 Of Guj. Vi Of 1962 :-

In section 178 of the principal Act,-

(1) in sub-section (1)-

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

" (ii) octroi on animals or goods or both brought within the gram or nagar for consumption, use or sale therein;"

(b) for clause (v), the following clauses shall be substituted, namely : -

"(v) a tax on vehicles, boats or animals used for riding, draught or burden, kept for use within the gram or nagar, whether they are actually kept within or outside the gram or nagar;

(va) a toll on vehicles and animals used as aforesaid entering the gram or nagar but not liable to taxation under clause (v) of this

sub-section;

(vb) a tax on dogs kept within the gram or nagar;"

(2) after sub-section (1), the following sub-section shall be inserted, namely : -

"(1A) Notwithstanding anything contained in sub-section (1), after the expiry of a period of two years from the 1st April, 1968(Guj. 1 of 1968), it shall be compulsory for a gram panchayat or, as the case may be, a nagar panchayat to levy a tax on buildings and lands referred to in clause (i) of sub-section (1) and at least any two of the other taxes or fees referred to in the said sub-section.";

(3) after sub-section (2), the following sub-section shall be inserted, namely: -

"(2A) Rules made under sub-section (1) may, inter-alia provide-

(1) for the assignment and payment of a part of the proceeds of pilgrim tax levied by a gram panchayat or nagar panchayat to a district panchayat or taluka panchayat to such extent and in such circumstances and on such conditions as may be prescribed;

(2) for lump sum payment of tax on vehicles or animals by persons liable to pay such tax.";

(4) for sub-section (7), the following sub-section shall be substituted, namely: -

"(7) No such appeal shall be entertained unless the amount claimed from the appellant has been deposited by the appellant with the panchayat."

63. Amendment Of Section 180 Of Guj. VI Of 1962 :-

Section 180 of the principal Act shall be renumbered as sub-section (1) of that section and in that section, after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely: -

"(2) All sums payable under the terms and conditions of the lease, if not paid, shall be recoverable as arrears of land revenue.

(3) The lessee and every person employed by the lessee to assist him in the collection of the fees or octroi, as the case may be, shall be deemed to be persons appointed by the panchayat to collect the same under this Act and shall exercise all the powers and be subject to all the responsibilities attaching to persons appointed to collect such fees or octroi, as the case may be, under this Act.

(4) Any rules or orders for the levy, collection and recovery of any such fees or octroi as the case may be, shall have effect subject to the provisions of this section."

64. Amendment Of Section 182 Of Guj. VI Of 1962 :-

In section 182 of the principal Act,-

(1) in sub-section (1), for the words "the taluka panchayat" wherever they occur the words "controlling panchayat" shall be substituted;

(2) in sub-section (2),

(a) for the words "taluka panchayat" the words "controlling panchayat" shall be substituted;

(b) for the words "an appeal to the district panchayat" the words "an appeal to the district panchayat, if the controlling panchayat is a taluka panchayat and to the State Government, if the controlling panchayat is a district panchayat" shall be substituted;

(c) for the words "The district panchayat may" the words "The authority to which the appeal is preferred may" shall be substituted;

(3) after sub-section (2), the following explanation shall be inserted, namely: -

"Explanation.-In this section "controlling panchayat" means a taluka panchayat in the case of a gram panchayat and the district panchayat in the case of a nagar panchayat";

(4) in the marginal note, for the words "taluka panchayat". the words "controlling panchayat" shall be substituted.

65. Insertion Of New Section 192A In Guj. Vi Of 1962 :-

In the principal Act, after section 192, the following section shall be inserted, namely: -

"192A. Penalty for evasion of octroi.-- Where any animal or goods passing into a gram or nagar are liable to the payment of octroi, any person, who with the intention of defrauding the gram panchayat or nagar panchayat, as the case may be, causes or abets the introduction of or himself introduces or attempts to introduce within the octroi limits of such gram or nagar, any such animal or goods upon which payment of the octroi due on such introduction has neither been made nor tendered, or who fails to comply with any direction given by the officer demanding the octroi by the authority of panchayat with reference to the introduction of the animal or goods within the octroi limits shall be punished, on conviction, with fine which may extend to ten times the amount of such octroi or to fifty rupees, whichever may be greater."

66. Amendment Of Section 203 Of Guj. Vi Of 1962 :-

In section 203 of the principal Act, after sub-section (4), the following subsection shall be inserted, namely : -

"(5) Such rules may provide for inter-district transfers of servants belonging to the panchayat service and the circumstances in which and the conditions subject to which such transfers may be made."

67. Insertion Of New Section 206B In Guj. Vi Of 1962 :-

After section 206A of the principal Act, the following new section shall be inserted, namely: -

"206B. Certain officers of former local boards to be absorbed in State Service.-- If immediately before the commencement of section 326 any person in the employment of a district local board was holding a post and scale of pay generally corresponding to those in Class I or Class II services of the State and after the commencement of that section, such person has been transferred to the service of a district panchayat under that section and continues in such service on the commencement of the Gujarat Panchayats (Amendment) Act, 1968 the State Government shall, subject to the rules prescribed under section 203, appoint such person to an appropriate cadre in Class I or Class II service of the State and thereafter the terms and conditions of service of such person as respects pay, allowances, leave, transfer, retirement, pension, provident fund and other conditions shall be regulated by the rules and orders which regulate the conditions of service of the members of the appropriate cadres of the State Service:

Provided that the terms and conditions of appointment applicable immediately before the commencement of the Act to such person shall not be varied to his disadvantage:

Provided further that any service rendered under the district local board before the commencement of section 326 and after the commencement of this section under the district panchayat by any such person shall be deemed to be service under the State Government and that the liability on account of contribution to be made to pension or provident fund established under the State Government on account of such person till he is appointed under this section shall be borne by the District Panchayat concerned."

68. Amendment Of Section 207 Of Guj. Vi Of 1962 :-

In section 207 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely: -

"(5) The procedure in respect of disciplinary action against any

officer or servant posted under a panchayat otherwise than as a member of the Panchayat Service, the authorities competent to take such action and the powers of such authorities shall be such as may be prescribed."

69. Amendment Of Section 222 Of Guj. VI Of 1962 :-

In section 222 of the principal Act, for the word "Chairman" the words "its Chairman and in his absence by such member as may be chosen by the members present at the sitting of the Nyaya Panchayat" shall be substituted.

70. Amendment Of Section 223 Of Gnj. Vi Of 1962 :-

In section 223 of the principal Act, after the words "the Secretary of the Nagar Panchayat", the words "or such officer of the nagar panchayat as the nagar panchayat may authorise in this behalf shall be inserted.

71. Amendment Of Section 224 Of Guj. VI Of 1962 :-

In section 224 of the principal Act,-

(1) in sub-section (1), after the words "a member of a Nyaya Panchayat" the words "or conciliation panch" shall be inserted;

(2) after the words "the Nyaya Panchayat" wherever they occur, the words "or as the case may be, the conciliation panch" shall be inserted;

(3) after sub-section (3), the following sub-section shall be inserted, namely: -

"(4) (a) The District Development Officer may suspend from office any member of the Nyaya Panchayat or conciliation panch against whom criminal proceedings in respect of an offence involving moral turpitude have been instituted or who has been detained in prison during trial under the provisions of any law for the time being in force.

(b) An appeal against an order passed under clause (a) shall lie to the State Government. Such appeal shall be made within a period of thirty days from the date of the order.";

(4) in the marginal note, after the words "Nyaya Panchayat", the words "or conciliation panch" shall be inserted.

72. Amendment Of Section 248 Of Guj. Vi Of 1962 :-

In section 248 of the principal Act, in sub-section (2), for the words

"The Secretary of the gram panchayat or, as the case may be, nagar panchayat" the words "The judicial clerk of the Nyaya Panchayat of the gram or, as the case may be, nagar" shall be substituted.

73. Insertion Of New Section 287A In Guj. Vi Of 1962 :-

After section 287 of the principal Act, the following section shall be inserted, namely: -

"287A. Panchayat to invite designated officer or person to attend meetings.--

(1) If in respect of any matter which is to be dealt with by a panchayat, the State Government so directs by a general or special order, it shall be the duty of the panchayat to invite such officer or person as may be designated by the State Government as an officer or person possessing technical knowledge and experience pertaining to such matter to attend the meeting of the panchayat or, as the case may be, of its committee whenever such matter is to be dealt with thereat.

(2) Where upon such invitation, any such officer or person attends any meeting of the panchayat or, as the case may be, of its committee, he shall be entitled to take part in the discussion which may be held in respect of such matter at the meeting but shall not be entitled to vote.

(3) Where any such officer or person attends any such meeting he shall be paid such allowances at such rates as may be prescribed."

74. Amendment Of Section 289 Of Guj. Vi Of 1962 :-

In section 289 of the principal Act, for sub-section (3), the following subsection shall be substituted, namely: -

"(3) Subject to such exceptions as may be prescribed no property shall be acquired by a panchayat unless previous sanction has been accorded thereto by such authority as may be prescribed."

75. Amendment Of Section 290 Of Guj. Vi Of 1962 :-

In section 290 of the principal Act, in sub-section (1), after the words "or nagar panchayat" the words "or taluka panchayat" shall be inserted.

76. Insertion Of Sections 290A And 290B In Guj. Vi Of 1962 :-

In the principal Act, after section 290, the following sections shall be inserted, namely: -

"290A. Appeal Committee to exercise appellate powers of district panchayats.--

(1) Notwithstanding anything contained in section 131, the appellate powers conferred on a district panchayat under sections 93, 178 and 290 shall be exercisable by an Appeal Committee of the district panchayat, which shall consist of the President of the panchayat and two other members of the panchayat as may be chosen by the panchayat from amongst its members.

(2) The President of the panchayat shall be ex-officio Chairman of the Appeal Committee.

(3) The term of the Appeal Committee shall be co-extensive with the term of the panchayat.

(4) A member chosen on the Appeal Committee may resign from membership of the Committee by tendering his resignation to the Chairman.

(5) In exercising the appellate powers, the Appeal Committee shall follow such procedure as may be prescribed.

(6) The appellate powers as aforesaid shall include power to grant temporary injunction or to issue a direction to stay the execution of the decision or order appealed against until the disposal of the appeal or to make such other interlocutory orders as may appear to be just and convenient and such power may be exercised by the Chairman of the Appeal Committee.

(7) Any decision given by the Appeal Committee in the exercise of the powers conferred on it by this section shall be deemed to be the decision of the district panchayat.

290B. To whom appeal may be addressed etc.--An appeal to be made to a district panchayat shall be in writing and addressed to the District Development Officer. It may be sent to the District Development Officer by registered post or presented to him in person. Every such appeal shall be accompanied by the decision or order appealed against or by a certified copy thereof."

77. Amendment Of Section 292 Of Guj. Vi Of 1962 :-

In section 292 of the principal Act, in sub-sections (1) and (2),-

(1) for the words "also to enter the office" the words "also to enter or cause to be entered the office"; and

(2) for the words "inspect any record", the words "inspect or cause to be inspected any record" shall be substituted.

78. Amendment Of Section. 294 Of Guj. Vi Of 1962 :-

In section 294 of the principal Act, in sub-section (4),-

(1) after the words "in respect of a taluka panchayat" the words "or nagar panchayat" shall be inserted;

(2) for the words "a gram or nagar panchayats" the words "a gram panchayat" shall be substituted.

79. Amendment Of Section 295 Of Guj. Vi Of 1962 :-

In section 295 of the principal Act, in sub-section (4)-

(1) after the words "in respect of a taluka panchayat" the words "or nagar panchayat" shall be inserted;

(2) for the words "a gram or nagar" the words "a gram" shall be substituted.

80. Amendment Of Section 297 Of Guj. Vi Of 1962 :-

In section 297 of the principal Act, to sub-section (7), the following proviso shall be added, namely:-

"Provided that the State Government may from time to time after making su.ch inquiry as it may consider necessary by an order published in the Official Gazette extend the period of supersession of such panchayat until such date as may be specified in the order or by like order curtail the period of supersession.".

81. Amendment Of Section 310 Of Guj. Vi Of 1962 :-

In section 310 of the principal Act, in clause (ii) of sub-section (1), after the words "or more grams" the words "or into a nagar and a gram" shall be inserted.

82. Amendment Of Section 310A Of Guj. Vi Of 1962 :-

In section 310A of the principal Act, in sub-section (2),-

(1) in clause (a), for the words, brackets, figures and letters "in lieu of the elected and co-opted members referred to in clauses (B) and (C) of the said subsection (1)" the following shall be substituted, namely:-

"in lieu of the co-opted members referred to in clause (C) of the said subsection (1)";

(2) in clause (b), for the words, brackets, figures, and letters "in lieu of the elected and co-opted members referred to in clauses (B) and (C) of the said subsection (1)" the following shall be

substituted, namely:-

"in lieu of the elected members referred to in clause (B) of the said subsection (1)".

83. Amendment Of Section 317 Of Guj. Vi Of 1962 :-

In section 317 of the principal Act, in sub-section (1), for the words "Every member of a panchayat" the words "Every member of a panchayat or of its Committee" shall be substituted.

84. Amendment Of Section 320 Of Guj. Vi Of 1962 :-

In section 320 of the principal Act,-

(1) in sub-section (1), after the words "agent of a panchayat," the words "any member of a committee of a panchayat" shall be inserted;

(2) in sub-section (2), after the words "agent of such panchayat," the words, "any member of a committee of a panchayat" shall be inserted.

85. Amendment Of Section 322 Of Guj. Vi Of 1962 :-

In section 322 of the principal Act, for the words "Every member of a panchayat" the words "Every member of a panchayat or of its committee" shall be substituted.

86. Amendment Of Section 322A Of Guj. Vi Of 1962 :-

In section 322A of the principal Act, after the words "Vice-President of a panchayat" the words "or a Chairman of the Education Committee of a district panchayat" shall be inserted.

87. Amendment Of Section 323 Of Guj. Vi Of 1962 :-

In section 323 of the principal Act, after sub-section (2), the following subsection shall be inserted, namely: -

"(2A) Such rules may also provide for the levy of fees for the inspection or search of any document issued under this Act or of any record maintained under or for the purposes of this Act and for giving copies of or extracts from such document or record and the scale of such fees."

88. Amendment Of Schedule I Of Guj. Vi Of 1962 :-

In Schedule I to the principal Act, in item 1 relating to the

functions in the sphere of sanitation and health, for clause (o), the following clause shall be substituted, namely: -

"(o) regulating the keeping of cattle and taking necessary steps against stray cattle and dogs;".

89. Amendment Of Schedule Iii Of Guj. Vi Of 1962 :-

In Schedule II to the principal Act, in Part II,-

(1) in the heading, for the figures and brackets "111(2)" the figures "117" shall be substituted and the words "THE EDUCATION COMMITTEE OF" shall be deleted;

(2) for the words "It shall be the duty of the Education Committee of a taluka panchayat" the words "It shall be the duty of a taluka panchayat" shall be substituted.

90. Transitional Provisions :-

In the case of a panchayat functioning on the date of the commencement of this Act,-

(1) if it be a taluka panchayat, such of its members as are members elected under clause (iii) of sub-section (1) of section 14 of the principal Act, as it stood immediately before the commencement of this Act shall cease to be the members of the taluka panchayat and where any person in his capacity as such member has been a member of any other panchayat, he shall also cease to be the member of such panchayat;

(2) if it be a district panchayat, such of its members as are members co-opted under clause (iv) of sub-section (1) of section 15 as it stood immediately before the commencement of this Act shall on the reconstitution of the Education Committee of such panchayat in accordance with the provisions of the principal Act as amended by this Act or on the expiry of a period of six months from the date of the commencement of this Act whichever event occurs earlier shall cease to be such members;

(3) the panchayat shall have such committees as may be in conformity with the provisions of the principal Act as amended by this Act, and for that purpose the committees of the panchayat, which may be existing on the date of the commencement of this Act shall so far as may be necessary, be reconstituted in accordance with the provisions of the principal Act as amended by this Act, as the case may be, be dissolved;

(4) if it be a taluka panchayat, a representative of the District Cooperative Union when nominated under clause (xii) of sub-

section (1) of section 14 of the principal Act and a director of the Managing Board of the District Co-operative Bank when nominated under clause (xiii) of sub-section (1) of the said section 14 shall be the associate members of the taluka panchayat;

(5) if it be a district panchayat, a director of the Managing Board of the District Co-operative Bank when nominated under clause (x) of sub-section (1) of section 15 of the principal Act and a representative of the District Co-operative Union when nominated under clause (xi) of sub-section (1) of the said section 15 shall be the associate members of the district panchayat;

(6) subject to the changes as aforesaid, the panchayat shall continue to function in accordance with the provisions of the principal Act.