

Jharkhand Panchayat Raj (Amendment) Act, 2003

12 of 2003

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Jharkhand Panchayat Raj (Amendment) Act, 2003

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An Act to Amend the Jharkhand Panchayat Raj Act, 2001 (Jharkhand Act 06 of 2001) Be it enacted by the Legislature of the State of Jharkhand in the fifty - fourth year of the Republic of India as follows :-

1. Short Title, Extent And Commencement :-

(a) This Act may be called the Jharkhand Panchayat Raj (Amendment) Act, 2003. (b) It shall extend according to section 1 (iii) of the Jharkhand Panchayat Raj Act, 2001 (Jharkhand Act 06 of 2001). (c) It shall come into force immediately.

2. Amendment Of Section 4 Of Jharkhand Act 06 Of 2001 :-

In sub-section (a) of section 4 of the Jharkhand Panchayat Raj Act, 2001 (Jharkhand Act 06 of 2001) hereinafter referred to as the said Act, the word, figure section-3 shall be substituted by the word, figure, brackets section-2(ii).

3. Amendment Of Section-8 Of Jharkhand Act 06 Of 2001 :-

In section 8 (iii) of the said Act, the mentioned word "unanimously" shall be substituted by "by a majority of votes", and after that a proviso shall be added as follows:- "Provided also that in a Gram Sabha in which there is a respected person according to the custom and usage prevalent from traditions who is the Gram Pradhan (Head of the village) and called as Manjhi, Munda, Pahan, or by

such other name and is a member of the Scheduled tribe, then a meeting of the Gram Sabha in the Scheduled areas shall be presided over by him, or if there be any member of the Scheduled tribe in the said area, then by such person on being proposed by the Gram Pradhan or nominated/ supported by a majority of votes of the members present in the meeting, and if there be no members of the Scheduled tribe then, by a person not belonging to the Scheduled tribe, who is proposed or nominated / supported therfor."

4. Amendment Of Section 12 Of Jharkhand Act 06 Of 2001

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Section 12 of the said Act shall be substituted as follows :- "Every such village, which has been specified as a village for the purposes of this Act under section 2 (ii) shall be under a Gram Panchayat."

5. Amendment Of Section 21 Of Jharkhand Act 06 Of 2001

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In sub- section (B) of section 21 of the said Act - (I) Clause (i) shall be substituted by the following, namely - "The posts of Mukhia of Gram Panchayats in the Scheduled areas shall be reserved for the scheduled tribes : Provided also that the Gram Panchayats lying within the Scheduled areas where there is no population of the Scheduled tribes shall be excluded from allotment of posts of Mukhia reserved for the Scheduled tribes in the prescribed manner". (II) In clause (ii) the words "total posts of Mukhia and up-Mukhia of the Gram Panchayat "shall be substituted by "total posts of Mukhia of the Gram Panchayats".

6. Amendment Of Section 40 Of Jharkhand Act 06 Of 2001

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In sub-section (B) of section 40 of the said Act, the words "Posts of Pramukh and up-Pramukh in the Panchayat Samitis in Scheduled areas shall be reserved for the members belonging to the Scheduled tribes" shall be substituted by the words "Posts of Pramukh in the Panchayat Samitis in the Scheduled areas shall be reserved for members belonging to the Scheduled tribes"; and in the proviso, "total number of offices of Pramukhs and up-Pramukhs" shall be substituted by the words "total number of offices of Pramukhs".

7. Section 7 :-

In sub-section (B) of section 55 of the said Act, the words and the sign "posts of Adhyaksha and upadhyaksha of Zila Parishads in

scheduled areas shall be reserved for the members of the Scheduled tribes;" shall be substituted by the words "Posts of Adhyaksha of Zila Parishad in Scheduled areas shall be reserved for members of the Scheduled tribes"; and in the Proviso, the words. "Posts of Adhyaksha and upadhyaksha of Zila Parishads" shall be substituted by the words "posts of Adhyaksha of Zila Parishads."