

## **Uttar Pradesh Panchayat Laws (Amendment) Act, 2007**

**44 of 2007**

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## **Uttar Pradesh Panchayat Laws (Amendment) Act, 2007**

**44 of 2007**

An Act further to amend the United Provinces Panchayat Raj, 1947 and the Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhiniyam, 1961 It is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:-- 1. Received the assent of the Governor on December 9, 2007 and published in the U.P. Gazette, Extra., Part 1, Section (Ka), dated 10th December, 2007, pp. 5-8

CHAPTER 1  
PRELIMINARY

**1. Short Title And Commencement :-**

(1) This Act may be called the Uttar Pradesh Panchayat Laws (Amendment) Act, 2007.

(2) It shall be deemed to have come into force on August 20, 2007.

CHAPTER 2  
AMENDMENT OF THE UNITED PROVINCES PANCHAYAT RAJ ACT, 1947

**2. General Amendment Of U.P. Act No. 26 Of 1947 :-**

In the United Provinces Panchayat Raj Act, 1947, hereinafter in this chapter referred to as the principal Act, the word "Up-Pradhan" wherever occurring including the marginal headings, shall be omitted.

**3. Amendment Of Section 11-A :-**

In Section 11-A of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely:--

"(1) There shall be a Pradhan of the Gram Panchayat who shall be the Chairperson thereof."

**4. Omission Of Section 11-C :-**

Section 11-C of the principal Act shall be omitted.

**5. Substitution Of Section 12-J :-**

For Section 12-J of the principal Act, the following section shall be substituted, namely:--

"12-J. Temporary arrangement in certain cases.--

Where the office of Pradhan is vacant by reason of death, removal, resignation or otherwise or where the Pradhan is incapable to act by reason of absence, illness or for any reason whatsoever, the prescribed authority shall nominate a member of the Gram

Panchayat, to discharge the duties and exercise the powers of Pradhan until such vacancy in the office of the Pradhan is filled in., or until such incapacity of Pradhan is removed."

#### **6. Omission Of Section 14-B :-**

Section 14-B of the principal Act shall be omitted.

#### **7. Amendment Of Section 28-A :-**

In Section 28-A of the Principal Act, for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) The Pradhan shall be the Chairperson of the Bhumi Prabandhak Samiti and the Lekhpal of the area comprised in the jurisdiction of the Gram Panchayat shall be its Secretary."

#### **8. Amendment Of Section 114 :-**

In Section 114 of the principal Act, in sub-section (2) for the words "vacancies in the offices of both Pradhan and Up-Pradhan" the words "vacancy in the office of Pradhan" shall be substituted.

#### **CHAPTER 3**

AMENDMENT OF THE UTTAR PRADESH KSHETTRA PANCHAYATS AND ZILA PANCHAYATS ADHINIYAM, 1961

#### **9. General Amendment Of U.P. Act No. 33 Of 1961 :-**

In the Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhiniyam, 1961, hereinafter in this chapter referred to as the principal Act, the words "Up-Pramukh", "Senior Up-Pramukh", "Junior Up-Pramukh" and "Upadhyaksha" wherever occurring including the marginal headings and Schedules, shall be omitted.

#### **10. Amendment Of Section 7 :-**

In Section 7 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:--

"(3) Notwithstanding anything to the contrary contained in any other provision of this Act, the persons who have been elected to the office of the Up-Pramukh before the commencement of the Uttar Pradesh Panchayat Laws (Amendment) Act, 2007 shall continue to hold the office as such till the expiry of their term as if the said Act were not enacted."

#### **11. Amendment Of Section 9 :-**

In Section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) Where the office of the Pramukh is vacant, the District Magistrate may, by order, make such arrangement as he thinks fit for the discharge of the functions of the Pramukh, till the Pramukh is elected."

#### **12. Substitution Of Section 9-A :-**

For Section 9-A of the principal Act, the following section shall be substituted, namely:--

"9-A. Temporary arrangement in certain cases.--

When the Pramukh is unable to discharge his functions owing to absence, illness or any other cause, the District Magistrate may, by order, make such arrangement, as he thinks fit, for the discharge of the functions of the Pramukh until the date on which the Pramukh resumes his duties."

#### **13. Amendment Of Section 15 :-**

In Section 15 of the principal Act,--

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

(b) in sub-section (12) and sub-section (13) for the words "two years" the words "one year" shall be substituted.

#### **14. Substitution Of Section 21-A :-**

For Section 21-A of the principal Act, the following section shall be substituted, namely:--

"12-A. Temporary arrangement in certain cases.--

When the office of the Adhyaksha is vacant or he is unable to discharge his functions owing to absence, illness or any other cause, the State Government may by order, make such arrangement, as it thinks fit, for the discharge of the functions of such Adhyaksha until the date on which the Adyaksha resumes his duties."

#### **15. Amendment Of Section 27-A :-**

In Section 27-A of the principal Act, for the words "Pramukh, Up-Pramukh, Adhyaksha or Upadhyaksha", wherever occurring the words "Pramukh or Adhyaksha" shall be substituted.

**16. Amendment Of Section 28 :-**

In Section 28 of the principal Act,--

- (a) In sub-section (11) for the words "not less than two-thirds" the words "more than half shall be substituted;
- (b) In sub-section (12) and sub-section (13) for the words "two years" the words "one year" shall be substituted.

**17. Omission Of Section 60 :-**

Section 60 of the principal Act shall be omitted.

**18. Amendment Of Section 61 :-**

In Section 61 of the principal Act, in sub-section (2) the words "or in his absence from the District, the Upadhyaksha" shall be omitted.

**19. Amendment Of Section 64 :-**

In Section 64 of the principal Act, in sub-section (2) clause (b) shall be omitted.

**20. Amendment Of Section 66 :-**

In Section 66 of the principal Act--

- (a) in sub-section (1) clause (b) shall be omitted.
- (b) for sub-section (2) the following sub-section shall be substituted, namely:--
  - (2) The Adhyaksha shall be the chairperson of the Karya Samiti.

**21. Omission Of Section 82 And Section 83 :-**

Sections 82 and 83 of the principal Act shall be omitted.

**22. Amendment Of Section 84 :-**

In Section 84 of the principal Act, in sub-section (2) the words "or in his absence from the Khand the Senior Up-Pramukh, or if the latter is also absent from the Khand, the Junior Up-Pramukh", shall be omitted.

**23. Amendment Of Section 88 :-**

In Section 88 of the principal Act--

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

"(2) The Pramukh shall be the ex-officio Chairman of Vitta Evam Vikas Samiti, Shiksha Samiti and Samta Samiti."

(b) sub-sections (3), (3-A) and (4) shall be omitted.

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

"(5) As soon as may be after their Constitution each committee specified in sub-section (1) of Section 87, other than Karya Samiti, shall at its first meeting elect one of their members to be the Vice-Chairman."

#### **24. Amendment Of Section 89 :-**

In Section 89 of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely:--

"(1) The elections of members and other office-bearers of every committee referred to in Section 87 shall be in such manner as may be prescribed."

#### **25. Repeal And Savings :-**

(1) The Uttar Pradesh Panchayat Laws (Amendment) Ordinance, 2007 (U.P. Ordinance No. 26 of 2007) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Acts 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 Acts as amended by this Act as if the provisions of this Act were in force at all material times.