

In pursuance of the provision of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English Translation of the Uttaranchal Tristariya Panchayatiraj Amendment Bill, 2002 (Uttaranchal Adhiniyam Sankhya 08 of 2002) :

No. 218/Vidhayee And Sansadiya Karya/2002
Dated Dehradun, June 19, 2002

NOTIFICATION

Miscellaneous

As passed by the Uttaranchal Legislative Assembly and assented to by the Governor on June 16, 2002.

UTTARANCHAL TRISTARIYA PANCHAYATI RAJ AMENDMENT ACT, 2002

(Act No. 08 of 2002)

To amend the Uttar Pradesh Panchayat Raj Act, 1947 and Uttar Pradesh Kshetra Panchayat and Zila Panchayat Act (Uttaranchal Adaptation and Modification Order), 2001 in its applicability to the State of Uttaranchal

AN
ACT

It is HEREBY enacted in the Fifty-Third Year of the Republic of India as follows :--

Chapter-I

Short Title and Commencement:

- (1) This Act may be called Uttaranchal Tristariya Panchayati Raj Amendment Act, 2002.
- (2) It extends to the whole of Uttaranchal state.
- (3) It shall come into force with immediate effect.

The word "Uttar Pradesh" shall be read as "Uttaranchal":

In Uttar Pradesh Panchayat Raj Act, 1947 (Act No. 26 of 1947) also wherever the expression "Uttar Pradesh" occurs the same shall be read as "Uttaranchal".

Section 11(f) of the Uttar Pradesh Panchayat Raj Act, 1947 shall be amended as follows:

11(f)- Declaration of Panchayat area:

- (1) For the purposes of this Act the State Government may by notification declare any area comprising a village or group of villages, having, so far as practicable, a population of 300 in hill area and 1000 in plane area to be a Panchayat area for the purpose of this Act by such name as may be specified.

Provided that the population shall not exceed 1000 in hill area and 5000 in plane area of the state as far as practicable.

Further provided that for the purpose of declaration of a Panchayat area no revenue village or any hamlet thereof shall be divided.

Also provided that if it is not practically possible to follow the above provisions then the State Government may relaxe the aforesaid restrictions by order in the specific and unavoidable circumstances.

(2) The State Government may, on the request of the Gram Panchayat concerned or otherwise, and after previous publication of the proposal, by notification at anytime:

- (a) modify the area of any Panchayat area by including therein or excluding therefrom any area of a village or group of villages;
- (b) alter the name of the Panchayat area; or
- (c) declare that any area shall cease to be a Panchayat area.

4- Section 12(1)(c) of the Original Act shall be amended as follows:

Section 12(1)(c)- A Gram Panchayat shall consist of a Pradhan and in the case of a Panchayat area having a population of:

- (1) Upto 500 ; 5 members
- (2) 501 to 1000 ; 7 members
- (3) 1001 to 2000 ; 9 members
- (4) 2001 to 3000 ; 11 members
- (5) 3001 to 5000 ; 13 members
- (6) 5001 and above ; 15 members

Chapter-III

5- Section 6(1)(b) of the Uttar Pradesh Kshetra Panchayat and Zila Panchayat Act (Uttaranchal Adaptation and Modification Order), 2001 shall be amended as follows:

Section 6(1)(b)- Elected members who will be elected by direct election from territorial constituency of Panchayat area and for this purpose the Panchayat area will be divided in territorial constituencies as follows:

- (1) There shall be 20 territorial constituencies in the development blocks of hill area having the population upto 25000 and in the development blocks having

the population more than 25000 there shall be gradual proportional increase in the number of the territorial constituencies but shall not exceed 40.

- (2) There shall be 20 territorial constituencies in the development blocks of plane area having the population upto 50000 and in the development blocks having the population more than 50000 there shall be gradual proportional increase in the number of the territorial constituencies but shall not exceed 40.

Provided that the proportional population of the territorial constituencies in the blocks will be the same as far as practicable.

Further provided that a part of the territorial constituency of the Gram Panchayat shall not be included in the territorial constituency of any Kshetra Panchayat.

Section 18(1)(b) of the Uttar Pradesh Kshetra Panchayat and Zila Panchayat Act (Uttaranchal Adaptation and Modification Order), 2001 shall be amended as follows:

Section 18(1)(b)- Elected members who will be elected by direct election from territorial constituency of Zila Panchayat and for this purpose the Panchayat area will be divided in territorial constituencies as follows:

- (1) Minimum 2 territorial constituencies shall be fixed in the development blocks of hill area having the population upto 24000 and in the development blocks having the population more than 24000 there shall be gradual proportional increase in the number of the territorial constituencies.
- (2) Minimum 2 territorial constituencies shall be fixed in the development blocks of plane area having the population upto 50000 and in the development blocks having the population more than 50000 there shall be gradual proportional increase in the number of the territorial constituencies.

Provided that the proportional population of the territorial constituencies in the development blocks will be the same as far as practicable.

Further provided that a part of the territorial constituency of the Kshetra Panchayat shall not be included in the territorial constituency of any Zila Panchayat.

By Order,

(R. P. PANDEY)

Sachiv.