

Section of the United Provinces Panchayat Raj Act, 1947	Power, duty or function	Authority by which to be exercised or performed
96	To prohibit execution or further execution of any resolution or order passed or made by a <sup>1</sup> [Gram Panchayat], <sup>1</sup> [Gram Panchayat], or a joint committee or any officer or servant thereof if in his (prescribed authority's) opinion, such resolution or order is of a nature as to cause or likely to cause obstruction, annoyance or likely to cause obstruction, annoyance or injury to the public or to any class or body of persons lawfully employed, or danger to human life, health or safety or riot or affray.	<sup>2</sup> [Kshettra Panchayat]
98	To sanction the penalty clause of Panchayat bye-laws.	<sup>2</sup> [Zila Panchayat]
112 (1) (g)	To direct any other duties or functions to be performed by the <sup>1</sup> [Gram Panchayat].	<sup>2</sup> [Kshettra Panchayat]
114	To direct for leaving a vacancy on anybody, constituted under the Panchayat Raj Act, to be left unfilled if the vacancy is not to last for more than six months.	<sup>2</sup> [Zila Panchayat]

SCHEDULE — IV

(See section 56)

POWERS AND FUNCTIONS OF THE <sup>2</sup>“ZILA PANCHAYAT”

Section	Power or function	Remarks
1	2	3

[1. Subs. by Schedule III of U. P. Act No. 09 of 1994.](#)

[2. Subs. by sec. 61 of U. P. Act No. 09 of 1994.](#)

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| 34 (1) | To delegate any of its powers or functions under the Act to a Gaon Sabha, Gaon Panchayat or Bhumi Prabandhak Samiti, within the district or to resume any such delegated power.  |  |
| 34 (2) | To delegate any of its powers or functions under the Act to a <sup>1</sup> [Kshettra Panchayat] or the consent to the delegation of any power or function by the <sup>1</sup> [Kshettra Panchayat] to the <sup>1</sup> [Zila Panchayat]. |  |
| 35 (1) | To exercise powers and perform duties and functions in respect of <sup>2</sup> [Gram Panchayat].   | May be delegated to the Karya Samiti, Adhyaksha or Mukhya Adhikari or partly to one and partly to another. |
| 35 (2) | To require any <sup>2</sup> [Gram Panchayat] in the district to co-ordinate any of its activities with similar activities of the <sup>1</sup> [Kshettra Panchayat].  | May be delegated.  |
| 36 (a) | To approve and sanction the proposal of a <sup>2</sup> [Gram Panchayat] to impose any tax or rate and to frame and sanction the bye-laws for any <sup>2</sup> [Gram Panchayat].  | May be delegated to the Karya Samiti.  |
| 36 (b) | <sup>3</sup> [ * * * * * ]   | <sup>3</sup> [ * * * * * ]   |
| 38 (a) | To decide whether to unite with any other <sup>1</sup> [Zila Panchayat] or other legal authority in works or undertakings which benefit all the areas controlled by it and such authority.   |  |
| 38 (b) | To decide whether to contribute towards any work or institution from which the district benefits although such work or institution is under taken or maintained outside the district or in   |  |

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[1. Subs. by sec. 61 of U. P. Act No. 09 of 1994.](#)

[2. Subs. by sec. 124\(d\) \(1\) of U. P. Act No. 09 of 1994.](#)

[3. Omit. by sec. 124\(d\) of U. P. Act no. 09 of 1994.](#)

Section	Power or function	Remarks
1	2	3
	included in any Nagar Mahapalika, Municipality, Cantonment, Notified Area or Town Area.	
39 (2)	To create posts of officers other than those specified in section 39 (1) or to create a post the creation of which has been ordered by the State Government.	
39 (2) Proviso.	To obtain Government's sanction for the abolition of a post created upon specified orders of the State Government.	Shall be exercised by the Adhyaksha.
39 (2) Proviso.	To abolish a post created upon specific direction of the State Government and for the abolition of which State Government's sanction has been secured.	
41 (1) (a)	To request the State Government to place at the disposal of the <sup>1</sup> [Zila Panchayat], the services of any of its servants.	
43 (1)	To make appointments to posts of Karya Adhikari, Abhiyanta, Kar Adhikari and post <sup>2</sup> [carrying such pay scales as the State Government may fix].	
43 (4) (b)	To take any Government servant in the service of the <sup>1</sup> [Zila Panchayat] on requisition by the State Government.	
46 (2) (d)	To terminate the services of any officer or servant.	Shall be exercised by the Karya Samiti.
48 (2) Proviso.	To constitute, upon direction by Government, a district cadre of any class of in <sup>1</sup> [Kshetra Panchayat].	Shall be exercised by the Karya Samiti.

1. Subs. by sec. 61 of U. P. Act No. 09 of 1994.

2. Subs. by sec. 124(d) (iii) of U. P. Act No. 09 of 1994.

Section	Power or function	Remarks
1	2	3
48 (3)	To provide staff to each <sup>1</sup> "Kshetra Panchayat".	May be delegated to the Karya Samiti.
51 (1)	To exercise control over the Mukhya Adhikari and other Heads of Departments.	Shall be exercised by the Adhyaksha under the general guidance of the <sup>1</sup> [Zila Panchayat].
51 (3)	<sup>2</sup> [ * * * * * ]	<sup>2</sup> [ * * * * * ]
57 (1)	To delegate any of the <sup>1</sup> [Zila Panchayat's] powers, duties and functions.	. .
57 (3)	To decide an appeal against an order passed by authority in exercise of a power delegated by the <sup>1</sup> [Zila Panchayat] or to revise such an order.	. .
64 (1)	To appoint committees.	. .
65 (1)	To appoint other committees by regulation.	. .
65 (2)	To appoint advisory committees by resolution.	. .
77 (1)	To combine with one or more than one assenting local authority, to appoint a joint committee.	. .
86 (7)	<sup>2</sup> [ * * * * * ]	<sup>2</sup> [ * * * * * ]
93 (1)	To call for any report or extract from the proceedings of a committee or a return.	May be delegated to the Adhyaksha.

[1. Subs. by sec. 61 of U. P. Act No. 09 of 1994.](#)

[2. Omit. by sec. 124\(d\) of U. P. Act no. 09 of 1994.](#)

Section	Power or function	Remarks
1	2	3
94 (1)	To require the Adhyaksha or the Mukhya Adhikari to supply or produce any return etc.	. .
95	To require assistance or advice from certain officers of Government.	May be delegated.
100 (2)	To raise loans in the open market.	. .
101 (3)	To make investments out of the Zila Nidhi in certain securities or placing funds in fixed deposit.	. .
105 (1)	To request the State Government to make acquisition of land for its purposes.	May be delegated.
107	To transfer any property vested in the <sup>1</sup> [Zila Panchayat].	May be delegated to the Karya Samiti.
108	To make compensation out of the Zila Nidhi.	May be delegated to the Karya Samiti.
110 (7)	To vary or alter the budget.	. .
115 (2)	To place the budget of <sup>1</sup> [Kshettra Panchayat] before the Niyojan Samiti.	Shall be exercised by the Adhyakshas
115 (6)	To decide on the difference of opinion between the <sup>1</sup> [Kshettra Panchayat] and the Niyojan Samiti about the budget.	. .
122	To entrust to a <sup>1</sup> [Gram Sabha] collection of tax.	. .
124	To decide or to modify any tax proposal.	. .
131	To exempt from payment of tax.	. .

Section	Power or function	Remarks
1	2	3
132	To furnish explanation and to remove a defect in tax on being asked to do so by the State Government.	. .
141	To contribute to the funds of <sup>1</sup> [Gram Panchayats].	. .
142	To charge fees for the use or occupation of immovable property vested in, or entrusted to the management of the <sup>2</sup> [Zila Panchayat] and to levy and recover charges.	. .
143	To charge fees for licenses, sanctions and permissions.	. .
144	To fix and levy fees and tolls described in this section.	. .
145	To impose fees and tolls in markets established, maintained or managed by the <sup>2</sup> [Zila Panchayat].	. .
189	To layout and make new public streets and widen, lengthen, etc. an existing public street, to provide building sites abutting them.	May be delegated.
190	To declare a street as a public street	May be delegated.
191 (1) to (3)	To define a general line of buildings on both sides of a public street after notifying the intention and settling objections.	May be delegated to the <sup>3</sup> [Krishi Udyog Evam Nirman Samiti]
191 (4)	To sanction constitution of any building this does not confront to the regular line of a street.	Shall be exercised by the <sup>3</sup> [Krishi Udyog Evam Nirman Samiti]

[1. Subs. by sec. 124 \(d\) of U. P. Act No. 09 of 1994.](#)

[2. Subs. by sec. 61 U. P. Act No. 09 of 1994.](#)

[3. Subs. by sec. 124\(d\) of U. P. Act No. 09 of 1994.](#)

Section	Power or function	Remarks
1	2	3
191 (5)	To make compensation for damage caused due to any person being prevented from building, etc.	Shall be exercised by the Karya Samiti.
191 (6)	To require alteration or demolition of any building, etc. this contravenes the regular line of a street.	Shall be exercised by the <sup>1</sup> [Krishi Udyog Evam Nirman Samiti]
192 (2)	To permit the doing of any thing by a person which would otherwise amount to interfering with the arrangement of construction made by the <sup>2</sup> [Zila Panchayat] under sub-section (1) of section 192.	May be delegated.
195	To require removal or closing drain, privy, etc.	May be delegated.
196	To permit erection of a building, wall or other structure or planting of tree on a public drain or culvert or waterworks vested in the <sup>2</sup> [Zila Panchayat] and to order removal, and on default, itself to remove any unauthorized structure or tree and recover the expenses from the person concerned.	May be delegated.
202	To regulate offensive trades.	May be delegated.
211	To acquire or otherwise to provide any land or rights in land necessary for purposes of effecting drainage ordered under section 211.	May be delegated.
213 (1) (a) and (b)	To provide in any controlled rural area receptacles and places for the temporary deposit of offensive matters.	Shall be exercised by the <sup>1</sup> [Shiksha Evam Jan Swasthya Samiti]

[1. Subs. by sec. 124\(d\) of U. P. Act No. 09 of 1994.](#)

[2. Subs. by sec. 61 of U. P. Act No. 09 of 1994.](#)

Section	Power or function	Remarks
1	2	3
213 (1) (c)	To issue directives as to the time, manner and conditions of removal of offensive matters in a controlled rural area.	Shall be exercised by the <sup>1</sup> [Shiksha evam Jan Swasthya Samiti]
216	To prohibit the use of any building in a controlled rural area unfit for human habitation unless suitably altered, and, upon failure to comply, to require its demolition.	May be delegated to the Samiti.
218	To prohibit the cultivation of a crop or the use of manure, or a method of irrigation which is injurious to health.	. .
221	To order closure of a specified burial or burning ground and to provide a fitting place for the purpose if no suitable place exists within a reasonable distance, to except private burial places from a public notice and to give permission to sue an unrecognized burial or burning ground.	May be delegated to the <sup>1</sup> [Shiksha evam Jan Swasthya Samiti]
228 (2)	To furnish explanation in connection with on order of the prescribed authority prohibiting the execution or further execution of any resolution or order.	. .
232	To furnish explanation to charges leveled against the <sup>2</sup> [Zila Panchayat].	. .
239	To make bye-laws.	. .
246	To cause a work to be executed or thing to be provided or done, and to recover expenses incurred thereon when a default has been made in the execution, provision or doing of the work or thing.	May be delegated.

[1. Subs. by sec. 124 \(d\) \(4\) of U. P. Act No. 09 of 1994.](#)

[2. Subs. by sec. 61 of U. P. Act No. 09 of 1994.](#)

Section	Power or function	Remarks
1	2	3

	in this regard of the <sup>1</sup> [Zila Panchayat's] notice.	
General	Any power, duty or function which any rule requires to be exercised or performed by the <sup>1</sup> [Zila Panchayats].	. .

### SCHEDULE — V

(See section 56)

#### SCHEDULED POWERS AND FUNCTIONS OF THE MUKHYA ADHIKARI

Section	Power or function	Remarks
1	2	3

34 (1)	To obtain the consent of a <sup>1</sup> [Gram Sabha] <sup>1</sup> [Gram Panchayat], Bhumi Prabandhak Samiti, for the delegation of any of its powers or functions by <sup>1</sup> [Zila Panchayat] to any of the aforesaid bodies.	. .
34 (2)	To obtain a <sup>1</sup> [Kshetra Panchayat's] consent for taking over such power or function as may be proposed to be delegated to it by the <sup>1</sup> [Zila Panchayat].	. .
43 (1)	To address the Commission for consultation in respect of appointments to posts <sup>2</sup> [carrying such pay scales as the State Government may fix].	. .
86 (4)	To receive the draft plan of a Khand.	. .
86 (5)	<sup>3</sup> [ * * * * * ]	
101 (3)	To obtain Governments sanction for the investment of the Zila Nidhi in certain securities.	. .

[1. Subs. by sec. 61 U. P. Act No. 09 of 1994.](#)

[2. Subs. by sec. 124 \(e\) \(i\) of U. P. Act No. 09 of 1994.](#)

[3. Omit. by sec. 124 \(e\) \(ii\) of U. P. Act no. 09 of 1994.](#)