

Section	Power or function	Remarks
1	2	3
197	To fix premises in a controlled rural area for slaughter of animals and to grant and with draw licenses for the use of such premises.	.
201	To seize and remove or destroy any article of food or drink or an animal intended to be used for human consumption which is unfit for such purpose, and similarly remove and produce before a Magistrate any spent drug.	.
206	To give written consent for displacement or alteration by a person of a payment, gutter, <i>etc.</i> belonging to the ¹ [Kshettra Panchayat], and to recover expenses incurred by the ¹ [Kshettra Panchayat] Samiti from offenders.	.

SCHEDULE — VIII

(See section 273)

**Section, etc.
to be
amended**

AMENDMENT OF CERTAIN ENACTMENTS

Amendment

1 — U. P. Town Areas Act, 1914

**Section 3
after clause
(16)**

Add the following as a new clause (17) —

“(17) ¹[Zila Panchayat] means a Zila Panchayat constituted under the Uttar Pradesh Kshettra Panchayat and Zila Panchayat Adhiniyam, 1961.”

**Section 7-A,
sub-section
(1)**

After clause (b), insert the following as the new clause (c) —

“(c) has become disqualified for being a member under section 6-K.”

Section 8-A

For the existing sub-section (6) substitute the —

“Notwithstanding anything in the preceding sub-sections, the District Magistrate or any officer nominated by him in this behalf shall,

till a committee is elected, perform the functions of the committee and the Chairman thereof and shall for all purposes be deemed to be the committee or the Chairman, as the case may be.”

II — U. P. Panchayat Raj Act, 1947

For the existing clause, *substitute* the following :—

“(f) ¹[Zila Panchayat] and ‘Panchayat’ shall have the meanings assigned to them under clause (II) of section 2 of the Uttar Pradesh Kshettra Panchayat and Zila Panchayat Adhiniyam, 1961.”

For the existing clause, *substitute* the following :—

“(q) ‘prescribed authority’ means,—

(i) for the purposes of the provisions of this Act mentioned in Schedule III of the Uttar Pradesh Kshettra Panchayat and Zila Panchayat Adhiniyam, 1961, the Zila Panchayat or the Kshettra Panchayat as may be specified in column 3 of that Schedule ; and

(ii) in respect of any other provisions of this Act, the authority notified as such by the State Government whether generally or for any particular purpose.”

Add the following as a new clause (x) :—

“(x) ‘Bhumi Prabandhak Samiti’ means a Bhumi Prabandhak Samiti established or deemed to be established under section 28-A.”

After clause
(w)

After section
16

Power to
make
contributions, etc.
outside
jurisdiction

The following shall be *inserted* as a new section 16-A :—

“16-A — ¹A Gram Panchayat may contribute such amounts for such organizations, institutions and functions outside the jurisdiction of the Gram Sabha as the State Government may be general or special order permit.”

After section
19

Power to
require
compulsory
labour in
certain cases

The following shall be *inserted* as a new section 19-A :

“19-A. ⁽¹⁾A Gram Panchayat may by a resolution passed by a majority of not less than two-thirds of its members for the time being direct in respect of any work of any general public utility prescribed by rule and meant exclusively for the benefit of the Gram Sabha which the Gram Panchayat proposes to undertake, that such work shall be done or constructed with manual labour of the male members of the Gram Sabha not above the age of 45 years, each such member being required to render such labour in relation to the work for such number of days as the Gram Panchayat may determine :

Provided that such compulsory labour shall not —

(a) exceed 96 hours in a year;
(b) extend to more than 48 days in a year or eight hours on any day.

(2) The ¹Gram Panchayat may recover as arrears of land revenue from any member of the Gram Sabha who has not rendered in whole or

part the manual labour required of him under sub-section (1), the monetary equivalent thereof on the basis of the rate of wages prevalent in the locality for such labour.”

Section 20

Establishment of primary school hospital, dispensary, road or bridge for a group of Gaon Sabhas

For the existing section the following shall be substituted ;

“20. Where a group of neighboring ¹Gram Sabhas has no primary school or Ayurvedic, Homeopathic or Unani hospital or dispensary, or it needs a road or bridge for its common benefit, the ¹Gram Panchayats thereof shall, if so directed by the prescribed authority, combined to establish and maintain such a school, hospital or dispensary, or to construct and maintain such a road or bridge, and it shall be managed and financed in the manner prescribed. The State Government and the District Board shall make such grants for such school, hospital, dispensary, road or bridge as may be prescribed.

Add the following as new sections 28-A, 28-B and 28-C :

“28-A. (1) The ¹Gram Panchayat of every Gram Sabha shall establish a committee to be known as the Bhumi Prabandhak Samiti (Land Management Committee), to assist it in the discharge of its duties of up-keep, protection and supervision of all property vested in the ¹Gram Sabha under section 117 of the U. P. Zamindari Abolition and Land Reforms Act, 1950 and all other property vesting in it or coming into its possession under any other provision of that Act :

Provided that where the State Government so directs, the Gram Panchayat shall constitute a Bhumi Prabandhak Samiti for each such portion of the area of the Gram Sabha as may be specified by the State Government.

(2) The number of members of a ¹Gram Panchayat who shall constitute the Bhumi Prabandhak Samiti and the manner of their election shall be as may be prescribed :

Provided that the Pradhan and the Up-Pradhan shall respectively be the Chairman and the Vice-Chairman of the Bhumi Prabandhak Samiti :

Provided further that where the whole or part of the abadi of any village included in the area of the ¹Gram Sabha lies within the limits of another local authority, the Collector may, in the manner prescribed, nominate from amongst the residents of such abadi such number of members not exceeding five for the purpose of due representation of such village on the said Samiti and these members shall be members in addition to the number otherwise fixed for the Samiti.

(3) The Lekhpal of the area of the ¹Gram Sabha shall be the Secretary of the Bhumi Prabandhak Samiti.

(4) Until the Bhumi Prabandhak Samiti for a ¹Gram Sabha has been constituted under this section, the corresponding committee constituted under the U. P. Zamindari Abolition and Land Reforms

Act, 1950 and functioning for the area of the ¹Gram Sabha immediately before the commencement of the Uttar Pradesh Kshetra Panchayat and Zila Panchayat Adhiniyam, 1961, shall continue to exercise the powers and perform the duties conferred by this Act upon the Bhumi Prabandhak Samiti and shall be deemed to be Bhumi Prabandhak Samiti established under this Act.

Functions of the Bhumi Prabandhak Samiti

28-B. (1) The Bhumi Prabandhak Samiti shall for and on behalf of the ¹Gram Panchayat establishing it, be charged with the general management, preservation and control of all property referred to in section 28-A, including —

- (a) the settling and management of land ;
- (b) the preservation, maintenance and development of forests and trees ;
- (c) the maintenance and development of *abadi* sites and village communications ;
- (d) the management of *hats*, *bazars* and *melas* ;
- (e) the maintenance and development of fisheries and tanks ;
- (f) the rendering of assistance in the consolidation of holdings ;
- (g) the conduct and prosecution of suits and proceedings by or against the ¹Gram Sabhas relating to or arising out of the functions of the Samiti ;
- (h) performance of functions, specifically assigned to the Bhumi Prabandhak Samiti under the U. P. Zamindari Abolition and Land Reforms Act, 1950 or any other enactments ; and
- (i) any other matter relating to such management, preservation and control as may be prescribed ;

and may exercise all powers of the ¹Gram Panchayat necessary for incidental to the discharge of such duties.

(2) The Bhumi Prabandhak Samiti shall function subject to the provisions of the U. P. Zamindari Abolition and Land Reforms Act, 1950.

Members and Officers not to acquire interest contracts, etc. with Bhumi Prabandhak Samiti

28-C. (1) No member or office-bearer of a ¹Gram Panchayat or Bhumi Prabandhak Samiti shall, otherwise than with the permission in writing of the Collector, knowingly acquire or attempt to acquire or stipulate for or agree to receive or continue to have himself or through a partner or otherwise any share or interest in any license, lease, sale exchange, contract or employment with, by or on behalf of the Samiti concerned :

Provided that a person shall not be deemed to acquire or attempt to acquire or continue to have or stipulate for or agree to receive any share or interest in any contract or employment by reason only of his —

(a) having acquired an interest before he became a member or office-bearer ;

(b) having a share in a joint stock company which makes the contract ; and

(c) having a share of interest in the occasional sale through the Samiti concerned of an article in which he regularly trades up to a value not exceeding Rs. 50 in any one year.

(2) No court or other authority shall enforce at the instance of any person a claim based upon a transaction in contravention of the provisions of sub-section (1).”

**Section 29,
Section 32,
Sub-section
(1)**

Before the words “specified duty” add the word “other” substitute the full-stop at the and by a colon ; and add the following as provisos in the sub-section (1) :

“Provided that such amount up to the total of all sums credited to the Gaon Fund under the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, minus the amount credited to the Consolidated Gaon Fund under section 125-A of that Act, any as may be required by the Bhumi Prabandhak Samiti for being utilized in carrying out its duties or obligations shall be made available out of the Gaon Fund to the Bhumi Prabandhak Samiti every year :

“Provided further that in the event of any difference between the Bhumi Prabandhak Samiti on the one hand and the ¹Gram Panchayat or Gram Sabha on the other about the requirements of funds by the Bhumi Prabandhak Samiti the matter shall be referred by the Pradhan to the prescribed authority whose decision shall be binding.”

**Sub-section
(2)**

In clause (d) between the words “court” and “to be” insert the word “or required under any law”.

**Section 37,
sub-section
(1), Clause (e)**

For the existing clause substitute the following ;
“a tax on theatre, cinema or similar entertainment temporarily stationed in the area of the Gaon Sabha not exceeding five rupees per diem.”

**Clause (j)
Section 95,
sub-section
(1)**

Delete.
(i) In clause (f) between the words “joint committee” and “or Nyaya Panchayat” wherever they occur insert a comma and thereafter the words “Bhumi Prabandhak Samiti”.

(ii) In clause (g) after the words “joint committee” and before the comma following them insert the words “or Bhumi Prabandhak Samiti”.

**Sub-section
(4)**

For the words “¹Gram Panchayat or Joint Committee” substituted “Gram Panchayat, Joint Committee or Bhumi Prabandhak Samiti”.

Section 106

For the words “or against a member thereof or against an officer or servant of a ¹Gram Sabha, Gram Panchayat or Nyaya Panchayat, substitute the following :

[Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961]

“or Bhumi Prabandhak Samiti or against a member or officer or servant thereof or of Nyaya Panchayat”.

General

For the term “district board” wherever it occurs in the Act substitute the term ¹[Zila Panchayat].

**Section 3,
after clause
(3)**

III— Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950

Insert the following as a new clause (3-A) :

“(3-A) ‘Circle’ means any area for which a Gaon Sabha has been established under the United Provinces Panchayat Raj Act, 1947.”

**Section 3,
clause (6-b)**

For the words “Consolidated Gaon Samaj Fund” wherever they occur substitutes the words “Consolidated Gaon Fund”.

**Section 3,
clause (9).**

Substitute the following for the existing clause :

“(9) ¹[Gram Fund], ¹[Gram Panchayat], ¹[Gram Sabha] and ‘Bhumi Prabandhak Samiti (Land Management Committee)’ shall have the meanings assigned to them in the United Provinces Panchayat Raj Act, 1947.”

**Section 3,
clauses (10),
(10-a) and
(14-a).**

Delete.

**Sections 113
to 116**

Delete.

Section 117

Re-number existing section 117 as sub-section (1) and add to it the following as sub-sections (2), (3), (4) and (5) :

“(2) Notwithstanding anything contained in this Act or in any other law for the time being in force the State Government may by notification in the official Gazette declare that as from the date to be specified all or any of the things specified in clauses (i) to (vii) of the said sub-section which had in respect of any part of the village included within the limits of a city, municipality, notified area, town area or cantonment under the provisions of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959, United Provinces Municipalities Act, 1916, U. P. Town Areas Act, 1914, or the Cantonments Act, 1924, as the case may be, after July 7, 1949 vested in the State under this Act shall vest in the Gaon Sabha established for the remaining part of such village.”

(3) All gaon Samajs constituted under this Act before its amendment by the Uttar Pradesh Kshetra Panchayat and Zila Panchayat Adhiniyam, 1961, shall cease to exist and any reference in any other law for the time being in force or any notification, rule or order issued under this Act or such law or in any contract or other documents to any Gaon Samaj shall, in so far as may be, be deemed to be a reference to the Gram Sabha established for the area of such Gaon Samaj —

(4) All property funds and rights whatsoever vesting in or belonging to and all liabilities imposed upon any Gaon Samaj under

this Act or under any other enactment or under any contract shall subject to all conditions and incidents attaching thereto as from the commencement of the Uttar Pradesh ¹Kshettra Panchayat and ¹Zila Panchayat Adhiniyam, 1961, be the property, funds, rights and liabilities of the Gram Sabha constituted for the area of the Gaon Samaj.

(5) In all suits and proceedings in which a Gaon Samaj is a party the Gaon Sabha constituted for the area of the said Gaon Samaj shall be and be deemed to be substituted for the Gaon Samaj's party and shall be entitled to take all such action as it would have been entitled to take if it had been a party to the suit or proceeding from the very beginning."

Section 117-A.

For the existing section substitute the following :

Vesting of certain land in local authorities

"117-A. (1) Notwithstanding anything contained in section 117, the State Government may, by notification in the official Gazette, declare that, as from the date to be specified, a thing specified in clauses (i) to (vii) of the said section which had in any village vested in the State under this Act shall vest in any other local authority established for the whole of such village.

(2) Where any land or thing of the nature specified in clauses (i) to (vii) of sub-section (1) of section 117 has been vested in any Gaon Sabha under sub-section (2) of that section or in any other local authority under sub-section (1) of this section or section 126 of the U. P. Nagar Mahapalika Adhiniyam, 1959, such Gram Sabha or other local authority shall in respect of part village or whole village, as the case may be, perform, discharge or whole village, as the case may be, perform, discharge or exercise functions, duties and powers assigned, imposed or conferred or by under this Act on a Gram Sabha or a Land Management Committee in respect of such land or things and the holdings are within the part of the village or the whole village as the case may be."

Section 122, 122-A and 123-B.

Delete.

Section 124

For the existing section substitute the following :

"124. (1) All sums received under this Act by the ¹[Gram Sabha], ¹[Gram Panchayat] or the Land Management Committee shall be credited to the Gaon Fund.

(2) All moneys which immediately before the commencement of the Uttar Pradesh ¹[Kshettra Panchayat] and ¹[Zila Panchayat] Adhiniyam, 1961, were held in the Gram Samaj Fund, whether actually credited to it or not before such commencement, shall stand transferred and be credited to the Gaon Fund."

Section 125

For the existing section substitute the following :

"125. The funds placed by the ¹[Gram Panchayat] at the disposal of the Land Management Committee to meet the charges in connection

with the discharge of its duties or performance of its functions under this Act shall be utilized in the manner prescribed.”

Section 125-A

For the existing section substitute the following :

“125-A. (1) There shall be constituted for each district a Consolidated Gaon Fund to which shall be credited all contributions payable under sub-section (2).

(2) Every Gram Panchayat in the district shall pay to the Collector annually such contribution not exceeding fifteen per centum of the total amount credited to the Gaon Fund under sub-section (1) of section 124 as may be fixed by the Collector in the manner prescribed.

(3) All moneys held or required to be held in the Consolidated Gaon Samaj Fund under this section before its amendment by the Uttar Pradesh ¹[Kshettra Panchayat] and ¹[Zila Panchayat] Adhiniyam, 1961, shall stand transferred to and be credited to the Consolidated ¹[Gram Fund].

(4) The fund shall be applied to :

(a) the payment of fees and allowances of the panel lawyers appointed under section 127-B ;

(b) the payment of expense incurred in connexion with the conduct and prosecution of suits, applications or other proceedings by or against the ¹[Gram Sabha] or the Land Management Committee under this Act ;

(c) the payment of expenditure incurred in the development of lands of common utility ; and

(d) the payment of any other sum which the State Government may by general or special order declare to be an appropriate charge on the fund.”

Section 127-A

Delete.

Section 127-B

(i) In sub-section (1) *for* the “Gaon Samaj” *substitute* the words “the Gram Sabhas in respect of their functions under this Act”.

(ii) *For* sub-section (2), the following shall be *substituted* :

“(2) A panel lawyer shall, with respect to such Gram Sabhas in the district as may be prescribed, be their agent for the purpose of receiving processes issued by any court or any authority against them in respect of their functions under this Act and shall be deemed to be the recognized agent by whom appearances, acts and applications under this Act or the United Provinces Land Revenue Act, 1901 or any other law relating to land tenure may be made or done on behalf of such Gaon Sabhas.”

Section 128

(i) Delete clauses (a), (c), (e) and (i).

(ii) In clause (aa) insert the words “sub-section (1) of” between the words “proviso to” and “section 117”.

[Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961]

Section 197 For ¹[Gram Sabha] substitute “Land Management Committee”.

General Besides the amendments specified above throughout the Act for the words ¹[Gram Samaj] ¹[Gram Samaj Fund] and ¹[Consolidated Gram Samaj Fund] wherever they occur, the words ¹[Gram Sabha], ¹[Gram Fund] and ¹[Consolidated Gram Fund] shall respectively be substituted.

IV — The Uttar Pradesh Consolidation of Holdings Act, 1953.

Section 29 (c) (i) In sub-sections (1) and (2), *for* ¹[Gram Samaj] *substitute* ¹[Gram Sabha] ; and

(ii) Add the following as a new sub-section (3) :—

“(3) All land vested in every ¹[Gram Sabha] under this Act on the commencement of the Uttar Pradesh Kshetra Samitis and Zila Parishads Adhiniyam, 1961 shall subject to all conditions and incidents attaching there to vest in the ¹[Gram Sabha] constituted for the circle of the ¹[Gram Samaj.]

V — The Uttar Pradesh Antarim Zila Parishad Act, 1958

Section 4 In sub-section (2) for the full-stop occurring at the end of clause (c) substitute a semi-colon and thereafter add the following as a new clause (d) —

“(d) Pramukhs of ¹[Kshetra Panchayat] established under the Uttar Pradesh ¹[Kshetra Panchayat] and ¹[Zila Panchayat] Adhiniyam, 1961.