The Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sanshodhan) Adhiniyam, 1998
Act 20 of 1998

Keyword(s):
Pramukh, Up-Pramukh, Adhyaksha, Zila Panchayat

Amendments appended: 25 of 2005, 23 of 2018
No. 1306 (2)/XVII-V-1-1(KA)13-1998

Dated Lucknow, July 10, 1998

In pursuance of the provisions 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 Uttar Pradesh Khetra Panchayat tatha Zila Panchayat (Sanshadhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sankhya 20 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 9, 1998.

THE UTTAR PRADESH KSHETRA PANCHAYATS AND ZILA PANCHAYATS (SANSHODHAN) ADHINITYAM, 1998
(U. P. ACT NO. 20 OF 1998)
[As passed by the Uttar Pradesh Legislature]

AN

ACT

Further to amend the Uttar Pradesh Khetra Panchayats and Zila Panchayats Adhiniyam, 1961,

IT IS HEREBY enacted in the Forty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Sanshadhan) Adhiniyam, 1998.

(2) It shall be deemed to have come into force on May 5, 1998.
2. In section 15 of Uttar Pradesh Kshettra Panchayats and Zila-
Panchayats Adhiniyam, 1961, hereinafter referred to as the principal Act,
(a) in sub-section (11) for the words “more than half” the words
“not less than two-thirds” shall be substituted;
(b) in sub-section (12) for the words “one year” the words
“two years” shall be substituted;
(c) in sub-section (13) for the words “one year” the words
“two years” shall be substituted.
3. In section 28 of the principal Act,—
(a) in sub-section (11) for the words “more than half” the words
“not less than two-thirds” shall be substituted;
(b) in sub-section (12) for the words “one year” the words
“two years” shall be substituted;
(c) in sub-section (13) for the words “one year” the words
“two years” shall be substituted.
4. Notwithstanding anything contained in the principal Act the
provisions of this Act shall also have effect and shall be deemed always to have effect in a case, where the notice referred to in sub-
section (2) of section 15 or sub-section (2) of section 28 of the principal
Act has been delivered before the commencement of this Act and a meeting has been convened in pursuance thereof on a date after such
commencement as if the provisions of this Act were in force at all material times.
5. (1) The Uttar Pradesh Kshettra Panchayats and Zila Panchayats
(Amendment) Ordinance, 1998 is hereby repealed.
(2) Notwithstanding such repeal anything done or any action taken
under the provisions of the principal Act 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 Act, as amended by
this Act as if the provisions of this Act were in force at all material times.

By order,
Y. R. TRIPATHI,
Pramukh Saeoh.

1998 Uttar Pradesh Kshettra Panchayats
(Amendment) Ordinance

Amendment of
section 15
of
U. P. Act no. 33
of 1961
Amendment of
section 28
Transitory pro-
visions
Repeal and
Savings
In pursuance of the provisions 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 Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sanshodhan) Adhiniyam, 2005 (Uttar Pradesh Adhiniyam Sankhya 25 of 2005) as passed by the Uttar Pradesh Legislature and assented to by the Governor on November 29, 2005.

THE UTTAR PRADESH KSHETTRA PANCHAYATS AND ZILA PANCHAYATS (SANSHODHAN) ADHINIYAM, 2005
(U.P. Act No. 25 of 2005)
(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhiniyam, 1961.

IT IS HEREBY enacted in the Fifty-sixth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sansodhan) Adhiniyam, 2005.
   (2) It shall be deemed to have come into force on September 13, 2005.
2. In section 27-A of the Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhiniyam, 1961, hereinafter referred to as the principal Act for the words "Pramukh, Up-Pramukh, Adhyaksha or Upadhyaksha" wherever occurring, the words "Pramukh, Up-Pramukh, Adhyaksha, Upadhyaksha or Member" shall be substituted.

Amendment of section 27-A of U.P. Act no. 33 of 1961

3. (1) The Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhyadesh, 2005 is hereby repealed.

Repeal and saving

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

STATEMENT OF OBJECTS AND REASONS

Section 27-A of the Uttar Pradesh Kshettra Panchayats and Zila Panchayats Adhiniyam, 1961 (U.P. Act no. 33 of 1961) inter alia provided that a person shall be disqualified for being elected as and for being Pramukh, Up-Pramukh of a Kshettra Panchayat or Adhyaksha or Upadhyaksha of a Zila Panchayat if he is a member of Parliament or of a State Legislature. The said section did not mention the members of Kshettra Panchayat and Zila Panchayat due to which a member of a Kshettra Panchayat or a Zila Panchayat continued to be such member even after his becoming the Member of Parliament or of a State Legislature. It was, therefore, decided to amend the said Act to bring the said members in the ambit of the said section 27-A.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Kshettra Panchayats and Zila Panchayats (Sansodhan) Adhyadesh, 2005 (U.P. Ordinance no. 9 of 2005) was promulgated by the Governor on September 13, 2005.

This Bill is introduced to replace the aforesaid Ordinance.

By order,
RAM HARI VIJAI TRIPATHI,
Pramukh Sachiv.
सरकारी गज़त, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिषिक्त
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, बुधवार, 11 अप्रैल, 2018
वैत्र 21, 1940 शक सम्पत्ति

उत्तर प्रदेश शासन
विधायी अनुमान-1

संख्या 815/79-वि-1-18-1(क)4-18
लखनऊ, 11 अप्रैल, 2018

अधिसूचना

विवेच

“भारत का संविधान” के अनुसार 200 के अधिन राज्यपाल महादेव ने उत्तर प्रदेश क्षेत्र पंचायत तथा जिला पंचायत (संशोधन) विवेचन, 2018 पर दिनांक 10 अप्रैल, 2018 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संचय 23 अर्थ 2018 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश क्षेत्र पंचायत तथा जिला पंचायत (संशोधन) अधिनियम, 2018

(उत्तर प्रदेश अधिनियम संचय 23 अर्थ 2018)

[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]

उत्तर प्रदेश क्षेत्र पंचायत तथा जिला पंचायत अधिनियम, 1961 में अग्रतर संशोधन करने के लिए

अधिनियम

भारत गणराज्य के उनहलस्य वर्ष में निम्नलिखित अधिनियम बनाया जाता है—

1—(1) यह अधिनियम उत्तर प्रदेश क्षेत्र पंचायत तथा जिला पंचायत (संशोधन) संबंधी नाम, विद्युत और प्रारंभ

अधिनियम, 2018 कहा जायेगा।

2—इसका विताव सम्पूर्ण उत्तर प्रदेश राज्य में होगा।

3—यह दिनांक 29 जनवरी, 2018 को प्रस्तुत हुआ समझा जायेगा।
उत्तर प्रदेश असाधारण गजट, 11 अप्रैल, 2018

उत्तर प्रदेश अधिनियम
संख्या 33 सन् 1961 की धारा 197 के पूर्व प्रकट होने वालों की क़ीमत में शब्द "बाजार, क़ब्ज़ा" के स्थान पर शब्द "बाजार" रख दिया जाएगा।

3—मूल अधिनियम की धारा 197 निकाल दी जाएगी।

4—मूल अधिनियम की धारा 198 में पाश्चात्य शीर्षक में शब्द "बिक्री" के प्रयोजनार्थ व्यवस्था करने के लिए उत्तर प्रदेश अधिनियम 1986 अधिनियम (संशोधन) आयोजन, 2018 रेखाज्ञापन निरस्त किया जाता है।

(2) ऐसे निरस्त के होते हुए भी, उपरेता (1) में निरिखित उद्देश्य द्वारा यथा संशोधित मूल अधिनियम के उपर्युक्त अधिनियम के अर्थमं भूल कोई कार्य या की गई कोई कार्यवाही, इस अधिनियम द्वारा यथा संशोधित मूल अधिनियम के सह-प्रत्यथी उपर्युक्त अर्थमं भूल कोई कार्यवाही की गई सभी जायजों और इस अधिनियम के उपर्युक्त सभी सरकारी समयों में प्रवृत्त थे।

उद्देश्य और कारण

उत्तर प्रदेश में क्षेत्र पंचायतों तथा जिला पंचायतों की स्थापना की व्यवस्था करने के लिए उत्तर प्रदेश क्षेत्र पंचायत तथा जिला पंचायत अधिनियम, 1961 अधिनियमित किया गया है। उक्त अधिनियम की धारा 197 के पूर्व प्रकट होने वाला शीर्षक "बाजार, क़ब्ज़ा, भोजन की बिक्री आदि" की रूप में वाचित है। धारा 197 में "बिक्री" के प्रयोजनार्थ पंथों को "बाजार" का स्थान पर "बाजार" रख दिया है। धारा 198 के पाश्चात्य शीर्षक में ऐसे पंथों के संबंध में, जिनका आवाज की प्रयोजनार्थ बाज़ार नहीं किया जायेगा, जिला महासभा की शक्ति का उपयोग है। हिन्दी वासियों की लाभी नागरिक गोदाम बनाने युविनर मेडिकल अर्थयों व अर्थ में नौ उच्चतम व्यापार के विश्वसन के आलोचक में धारा 197 के पूर्व प्रकट होने वाले शीर्षक संशोधन करने, धारा 197 को निकालने और शब्द "बिक्री" के प्रयोजनार्थ बाज़ार नहीं के स्थान पर शब्द "बाजार" का प्रयोग अन्य प्रयोजनार्थ बाजार की रूप में धारा 198 के पाश्चात्य शीर्षक में संशोधन करने का विनिमय किया गया है।

चूँकि राज्य विधान मंडल राष्ट्र में नहीं था और पूर्व का विनिमय को लाना करने के लिए तुरंत विनिमय कार्यवाही करनी आवश्यक थी, जल्द: राज्यसभा द्वारा दिनांक 29 जनवरी, 2018 को उत्तर प्रदेश क्षेत्र पंचायत तथा जिला पंचायत (संशोधन) आयोजन, 2018 (उत्तर प्रदेश अधियोजन संख्या 5 सन् 2018) प्रकाशित किया गया।

यह विनिमय पूर्वक अधियोजन का प्रस्तावित करने के लिए पुरस्कृत किया जाता है।

आज्ञा से,

विराट कुमार शाहवस्तव,
प्रमुख सचिव।

15_RPH_2018 adhiniyam (data-6) vidhaika-18
In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Kshetra Panchayat Tatha Zila Panchayat (Sanskodhan) Adhiniyam, 2018 (Uttar Pradesh Adhiniyam Sankhya 23 of 2018) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 10, 2018.

THE UTTAR PRADESH KSHETRA PANCHAYATS AND ZILA PANCHAYATS (SANSHODHAN) ADHINIYAM, 2018
(U. P. ACT NO. 23 OF 2018)
(AS PASSED BY THE UTTAR PRADESH LEGISLATURE)

AN ACT

FURTHER TO AMEND THE UTTAR PRADESH KSHETRA PANCHAYATS AND ZILA PANCHAYATS ADHINIYAM, 1961.

IT IS HEREBY enacted in the Sixty-ninth Year of the republic of India as follows:—

1. (1) This Act may be called the Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Sanskodhan) Adhiniyam, 2018.
(2) It shall extend to the whole of the State of Uttar Pradesh.
(3) It shall be deemed to have come into force on January 29, 2018.

2. In the Uttar Pradesh Kshetra Panchayats and Zila Panchayats Act, 1961, hereinafter referred to as the principal Act, in the heading appearing before section 197, for the words "MARKETS, SLAUGHTER-HOUSES", the word "MARKETS" shall be substituted.

3. Section 197 of the principal Act shall be omitted.

4. In section 198 of the principal Act, in the marginal heading for the words, "not slaughtered for sale", the words "slaughtered for religious purpose" shall be substituted.

5. (1) The Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Sanskodhan) Adhyanidesh, 2018 is hereby repealed.
(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the co-responding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

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STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961 has been enacted to provide for the establishment of Kshetra Panchayats and Zila Panchayats in Uttar Pradesh. The heading appearing before section 197 of the said Act read as 'Markets, Slaughter houses, sale of food, etc.' Section 197 provides for the place for slaughter of animals for sale. The marginal heading of section 198 provided for power of District Magistrate in respect of animals not slaughtered for sale. In the light of the
decision of the Hon’ble Supreme Court in the writ petition Lakshmi Narayan Modi Versus Union of India and Others, it has been decided to amend the heading appearing before section 197, to omit section 197 and to amend the marginal heading of section 198 by substituting the words “slaughtered for religious purpose” for the words “not slaughtered for sale”.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Kshetra Panchayats and Zila Panchayats (Sanshodhan) Adhyadesh, 2018 (U.P. Ordinance no. 5 of 2018) was promulgated by the Governor on January 29, 2018.

This Bill is introduced to replace the aforesaid Ordinance.

By order,

VIRENDRA KUMAR SRIVASTAVA,

Pramukh Sachiv.