

THE ASSAM PANCHAYAT (AMENDMENT) BILL, 2025.

A BILL

further to amend the Assam Panchayat Act, 1994.

Preamble

Whereas it is expedient further to amend the Assam Panchayat Act, 1994, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam
Act No.
XVIII of
1994

It is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :-

Short title, extent and commencement

1. (1) This Act may be called the Assam Panchayat (Amendment) Act, 2025.
(2) It shall have the like extent as the principal Act.
(3) It shall come into force at once.

Amendment of section 105

2. In the principal Act, for section 105, the following shall be substituted, namely:-

“Settlement of Haats by Gaon Panchayats, Anchalik Panchayats and Zilla Parishads

105. (1) All Haats within the territorial jurisdiction of the Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as may be prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.
(2) Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.
(3) The powers of examination and final acceptance of such tenders shall be vested in the Standing Committees referred to in sub-section (1) of section 22, clause (a) of sub-section (1) of section 52 and clause (a) of section 81 respectively for the Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.
(4) In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final.
(5) Failure to settle any Haat for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Haat by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.

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(6) (i) All sale proceeds of haats of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Haats shall be made over to the Zilla Parishad funds;

(b) an amount equivalent to forty percent shall be made over to the Anchalik Panchayat Fund ;

(c) remaining forty percent of the sale proceeds of Haats shall be retained by the Gaon Panchayat.

(ii) All sale proceeds of haats of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Haats, shall be made over to the Zilla Parishad funds;

(b) forty percent of the sale proceeds of the Haats shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat ;and

(c) remaining forty percent of the sale proceeds of Haats shall be retained by the Anchalik Panchayat.

(iii) All sale proceeds of haats of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to forty percent of the total sale proceeds of Haats shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;

(b) forty percent shall be equally distributed to all the Gaon Panchayat under the Zilla Parishad; and

(c) remaining twenty percent of the sale proceeds of Haats shall be retained by the Zilla Parishad.

(7) (i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Haats which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Haat is situated.

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- (ii) The State Government shall transfer such Government Haat which has settlement value of rupees 5(Five) Lakh upto rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Haat is situated.
- (iii) The Haats falling under the jurisdiction of Zilla Parishad with a yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat Year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:

Provided that a transfer under this sub-section above, shall be given effect from the following Panchayat Year of such income.”

Amendment of
section 106

3. In the principal Act, for section 106, the following shall be substituted, namely:-

“Settlement
of Ghats by
Gaon
Panchayats,
Anchalik
Panchayats
and Zilla
Parishads

106. (1) All public Ghats, other than Government Ghats within the territorial jurisdiction of the Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as maybe prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.

(2) Detailed procedures for inviting and submission of such tenders shall be such as may be prescribed by the Government.

(3) The powers of examination and final acceptance of such tenders shall be vested in the Standing Committees referred to in sub-section (1) of section 22, clause (a) of sub-section (1) of section 52 and clause (a) of section 81 respectively for the Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.

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(4) In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final:

Provided that the Ghats falling under more than one Gaon Panchayat shall be settled by the concerned Anchalik Panchayat:

Provided further that the Ghats falling under more than one Anchalik Panchayats, the settlement shall be conducted by the Anchalik Panchayats by rotation every year:

Provided further also that in case of Ghats falling under two districts, the settlement shall be done alternatively by either districts.

(5) Failure to settle any Ghat for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Ghat by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.

(6) (i) All sale proceeds of Ghats of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Ghats, shall be made over to the Zilla Parishad funds;

(b) forty percent shall be made over to the Anchalik Panchayat Fund; and

(c) remaining forty percent of the sale proceeds of Ghats shall be retained by the Gaon Panchayat.

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(ii) All sale proceeds of Ghats of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Ghats, shall be made over to the Zilla Parishad funds;

(b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat; and

(c) remaining forty percent of the sale proceeds of Ghats shall be retained by the Anchalik Panchayat:

Provided that all sale proceeds of Ghats shall be deposited in the Anchalik Panchayat Fund and the proceeds accrued from the inter-Anchalik Panchayat public ferries, if there be any, shall be equitably distributed to the Anchalik Panchayats concerned and thereafter the proceeds remaining in an Anchalik Panchayat Fund shall be distributed in the manner provided hereinabove:

Provided further that the Anchalik Panchayat shall meet all expenses, if there be any, for the maintenance and improvement of the Ghats from out of the forty percent share of sale proceeds of public ferries received by it:

Provided further that if any Anchalik Panchayat fails to make improvement of or neglect to maintain the portion of the inter-Anchalik Panchayat Public ferry falling within the jurisdiction of the Anchalik Panchayat, such expenditure incurred for maintenance and improvement shall be deducted from the share of the defaulting Anchalik Panchayat.

(iii) All sale proceeds of the Ghats of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter provided:

(a) an amount equivalent to forty percent of the total sale proceeds of Ghats shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;

(b) forty percent shall be equally distributed to all the Gaon Panchayat under the Zilla Parishad; and

(c) remaining twenty percent of the sale proceeds of Ghats shall be retained by the Zilla Parishad.

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(7) (i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Ghats which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Ghat is situated.

(ii) The State Government shall transfer such Government Ghat which has settlement value of Rupees 5(Five) Lakh upto Rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Ghat is situated.

(iii) The Ghats falling under the jurisdiction of Zilla Parishad with the yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat Year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:

Provided that a transfer under this sub-section above shall be given effect from the following Panchayat Year of such income.”

Amendment of
section 108

4. In the principal Act, for section 108, the following shall be substituted, namely:-

“Settlement
of Fisheries
by Gaon
Panchayats,
Anchalik
Panchayats
and Zilla
Parishads

108. (1) All Fisheries within the territorial jurisdiction of the Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as may be prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.

(2) Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.

(3) The powers of examination and final acceptance of such tender shall be vested in the Standing Committee referred to in sub-section (1) of section 22, clause (a) of sub-section (1) of section 52 and clause (a) of section 81.

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(4) In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final:

Provided that as and when deemed necessary, the Government may intervene in the matter of a particular settlement and its decision in this regard shall be final.

(5) Failure to settle any Fishery for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Fishery by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.

(6) (i) All sale proceeds of the Fisheries of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Fisheries, shall be made over to the Zilla Parishad funds;

(b) forty percent shall be made over to the Anchalik Panchayat Fund; and

(c) remaining forty percent of the sale proceeds of Ghats shall be retained by the Gaon Panchayat.

(ii) All sale proceeds of the Fisheries of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Ghats, shall be made over to the Zilla Parishad funds;

(b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat; and

(c) remaining forty percent of the sale proceeds of Fisheries shall be retained by the Anchalik Panchayat:

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(iii) All sale proceeds of the Fisheries of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to forty percent of the total sale proceeds of Fisheries shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;

(b) forty percent shall be equally distributed to all the Gaon Panchayat under the Zilla Parishad; and

(c) remaining twenty percent of the sale proceeds of Fisheries shall be retained by the Zilla Parishad.”

(7) (i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Fisheries which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Fisheries is situated.

(ii) The State Government shall transfer such Government Fisheries which has settlement value of Rupees 5(Five) Lakh upto Rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Fishery is situated.

(iii) The Fisheries falling under the jurisdiction of Zilla Parishad with a yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:

Provided that a transfer under this sub-section above shall be given effect from the following Panchayat Year of such income.”

Amendment of
section 109

5. In the principal Act, for section 109, the following shall be substituted, namely:-

“Settlement
of Pounds by
Gaon
Panchayats,
Anchalik
Panchayats
and Zilla
Parishads

109. (1) All Pounds within the territorial jurisdiction of the Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as may be prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.

(2) Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.

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(3) The powers of examination and final acceptance of such tenders shall be vested in the Standing Committees referred to in sub-section (1) of section 22, clause (a) of sub-section (1) of section 52 and clause (a) of section 81 respectively for the Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.

(4) In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final:

Provided that as and when deemed necessary, the Government may intervene in the matter of a particular settlement and its decision in this regard shall be final.

(5) Failure to settle any Pound for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Pound by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.

(6) (i) All sale proceeds of Pounds of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner as may be hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Pounds, shall be made over to the Zilla Parishad funds;

(b) forty percent shall be made over to the Anchalik Panchayat Fund; and

(c) remaining forty percent of the sale proceeds of Pounds shall be retained by the Gaon Panchayat.

(ii) All sale proceeds of Pounds of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to twenty percent of the total sale proceeds of Pounds, shall be made over to the Zilla Parishad funds;

(b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat; and

(c) remaining forty percent of the sale proceeds of Pounds shall be retained by the Anchalik Panchayat.

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(iii) All sale proceeds of Pounds of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter provided:-

(a) an amount equivalent to forty percent of the total sale proceeds of Pounds shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;

(b) forty percent shall be equally distributed to all the Gaon Panchayat under the Zilla Parishad; and

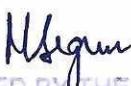
(c) remaining twenty percent of the sale proceeds of Pounds shall be retained by the Zilla Parishad.

(7) (i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Pounds which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Pound is situated.

(ii) The State Government shall transfer such Government Pound which has settlement value from Rupees 5(Five) Lakh upto Rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Pounds is situated.

(iii) The Pounds falling under the jurisdiction of Zilla Parishad with a yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:

Provided that a transfer under this sub-section shall be given effect from the following Panchayat Year of such income.”


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ON 10/02/2020

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the Assam Panchayat Act, 1994. It is proposed that the Department seeks amendment to some sections of the Assam Panchayat Act, 1994 in order to bring certain changes in its administration and working.

The amendments proposed are broadly explained as under:

1. Clause 2 of the Bill seeks to amend Section 105 of the Act.
2. Clause 3 of the Bill seeks to amend Section 106 of the Act.
3. Clause 4 of the Bill seeks to amend Section 108 of the Act.
4. Clause 5 of the Bill seeks to amend Section 109 of the Act.

The Bill seeks to achieve above objects.



Shri Ranjeet Kumar Dass

(Hon'ble Minister, Panchayat & Rural Development etc., Govt. of Assam



Secretary,
Assam Legislative Assembly

Secretary
Assam Legislative Assembly
Dispur, Guwahati-6

FINANCIAL MEMORANDUM

The Bill proposes to amend the Assam Panchayat Act, 1994.

There is no provision in the Bill which would involve any expenditure from the Consolidated Fund of the State of Assam.



Shri Ranjeet Kumar Dass
(Hon'ble Minister, Panchayat & Rural Development etc., Govt. of Assam)

MEMORANDUM OF DELEGATED LEGISLATION

The Bill involves no proposals for delegation of legislative power to anyone.



Shri Ranjeet Kumar Dass
(Hon'ble Minister, Panchayat & Rural Development etc., Govt. of Assam)

THE ASSAM PANCHAYAT (AMENDMENT) BILL, 2025

Sl No.	Section of the Act	Present narration of provision at the Assam Panchayat Act, 1994	Proposed Amendment	Justification
1.	Section 105 marginal note	Settlement of Hats by Anchalik Panchayats	Settlement of Haats by Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.	This amendment is required as all the Panchayati Raj Institutes were not mentioned earlier.
2.	Section 105(1)	All Hats within the territorial jurisdiction of Anchalik Panchayat shall be settled in the manner prescribed for a period coinciding with and not exceeding one Panchayat financial year by inviting tenders at the office of the Anchalik Panchayat by its President.	All Haats within the territorial jurisdiction of the Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as may be prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.
3.	Section 105(2)	Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.	Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.	No change
4.	Section 105(3)	The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee referred to in Section 52 (1) (a)	The powers of examination and final acceptance of such tenders shall be vested in the Standing Committees referred to in Section 22 (1), 52 (1) (a) and 81(a) respectively for the Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.
5.	Section 105(4)	All settlement made under sub-section (3) shall be subject to the confirmation of the Zilla Parishad; Provided that in case of any dispute, the Anchalik Panchayat may refer such case to the Government and the aggrieved party may appeal to Government whose decision in this regard shall be final.	In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to Zilla Parishad and in case of Zilla Parishads such cases may be referred to the Government whose decision in this regard shall be final.	Power has been delegated to the Zilla Parishads to reduce the cases at the level of Government.

6.	Section 105(5)	Failure to settle any Hat for want of adequate value, the Anchalik Panchayat, as may be decided by the Zilla Parishad, may be entrusted with the direct management of such Hat by the Anchalik Panchayat.	Failure to settle any Haat for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Haat by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.
7.	Section 105(6)	All sale proceeds of hats shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter prescribed: (a) an amount equivalent to twenty percent of the total sale proceeds of Hats, shall be made over to the Zilla Parishad funds, and (b) an amount equivalent to forty percent of the sale proceeds of Hats shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat and remaining forty percent retained in the Anchalik Panchayat Fund:	<p>(i) All sale proceeds of haats of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner hereinafter prescribed: (a) an amount equivalent to twenty percent of the total sale proceeds of Haats shall be made over to the Zilla Parishad funds, (b) forty percent shall be made over to the Anchalik Panchayat Fund (c) remaining forty percent of the sale proceeds of Haats shall be retained by the Gaon Panchayat.</p> <p>(ii) All sale proceeds of haats of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter prescribed: (a) an amount equivalent to twenty percent of the total sale proceeds of Haats, shall be made over to the Zilla Parishad funds, (b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik panchayat and (c) remaining forty percent of the sale proceeds of Haats shall be retained by the Anchalik Panchayat.</p> <p>(iii) All sale proceeds of haats of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter prescribed: (a) an amount equivalent to forty percent of the total sale proceeds of Haats shall be distributed to all the Anchalik Panchayats under the Zilla Parishad (b) forty percent shall be equally</p>	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.

			distributed to all the Gaon Panchayat under the Zilla Parishad and (c) remaining twenty percent of the sale proceeds of Haats shall be retained by the Zilla Parishad.	
8.	No Provision in the existing section 105. Section 105(7) to be inserted additionally.	-----	<p>(i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Haats which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Haat is situated.</p> <p>(ii) The State Government shall transfer such Government Haat which has settlement value of rupees 5(Five) Lakh upto rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Haat is situated</p> <p>(iii) The Haats falling under the jurisdiction of Zilla Parishad with a yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat Year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:</p> <p>Provided that a transfer under this sub-section above, shall be given effect from the following Panchayat Year of such income.”</p>	<p>Enhancement of settlement value of assets of Panchayati Raj Institutions can bring several socio-economic benefits to the community. Improved assets will attract more vendors and buyers leading to increased trade and income generation for the PRI Bodies. Higher settlement value will increase own source of revenue.</p> <p>.</p>
9.	Section 106 marginal note	Settlement of Public Ferries and distribution of sale proceeds thereof	Settlement of Ghats by Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.	This amendment in respect of ghats is required to maintain conformity with the provisions of section 105.

10.	Section 106(1)	All Public Ferries, other than Government ferries within the territorial jurisdiction of the Anchalik Panchayat shall be settled in the manner prescribed for a period coinciding with and not exceeding one Panchayat financial year by inviting tenders at the office of the Anchalik Panchayat by its President.	All public Ghats, other than Government Ghats within the territorial jurisdiction of the Gaon Panchayat /Anchalik Panchayat/Zilla Parishad shall be settled in the manner prescribed for a period coinciding with and not exceeding one Panchayat financial year by inviting tenders at the office of the respective Gaon Panchayat /Anchalik Panchayat/Zilla Parishad by its President.	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.
11.	Section 106(2)	Detailed proceedings for inviting and submission of such tenders shall be such as may be prescribed by the Government.	Detailed procedures for inviting and submission of such tenders shall be such as may be prescribed by the Government.	No change.
12.	Section 106(3)	The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under Section 52 (1) (a)	The powers of examination and final acceptance of such tenders shall be vested in the Standing Committees referred to in Section 22 (1), 52 (1) (a) and 81(a) respectively for the Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.
13.	Section 106(4)	<p>All settlement made under sub-section (3) shall be subject to the confirmation of the Zilla Parishad.</p> <p>Provided that in case of any dispute the Anchalik Panchayat may refer such cases to the Government and the aggrieved party may appeal to Government whose decision in this regard shall be final:</p> <p>Provided further that as and when deemed necessary, the Government may intervene in the matter of a particular settlement and its decision in this regard shall be final:</p> <p>Provided further that the State Government may issue order to</p>	<p>In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final</p> <p>Provided that the Ghats falling under more than one Gaon Panchayat shall be settled by the concerned Anchalik Panchayat:</p> <p>Provided further that the Ghats falling under more than one Anchalik Panchayats, the settlement shall be conducted by the Anchalik Panchayats by rotation every year:</p> <p>Provided further also that in case of Ghats falling under two districts, the settlement shall be done alternatively by either districts.</p>	Power has been delegated to the Zilla Parishads to reduce the cases at the level of Government.

		Anchalik Panchayat for the settlement of a public ferry falling within the jurisdiction of more than one Anchalik Panchayat or Zilla Panchayat.		
14.	Section 106(5)	All sale proceeds of public ferry shall be deposited in the Anchalik Panchayat Fund and there under the proceeds of inter Anchalik Panchayat public ferry, if there be any, shall be equitably distributed to the Anchalik Panchayat concerned and thereafter the proceeds remaining in an Anchalik Panchayat Fund shall be distributed in the manner hereinafter provided. (a) an amount equivalent to twenty percent of the sale proceeds of public ferry shall be made over to the Zilla Parishad Fund; (b) an amount equivalent to forty percent of the sale proceeds of public ferries shall be retained in the Anchalik Panchayat Fund: Provided that the Anchalik Panchayat shall meet all expenses, if there be any, for maintenance and improvement of the public ferries from out of the forty percent share of sale proceeds of public ferries received by it: Provided further that if any Anchalik Panchayat fails to make improvement of or neglect to maintain the portion of the inter-Anchalik Panchayat Public ferry falling within the jurisdiction of the Anchalik Panchayat such expenditure incurred for	Failure to settle any Ghat for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Ghat by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.	Existing provision states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.

		<p>maintenance and improvement shall be deducted from the share of the defaulting Anchalik Panchayat.</p> <p>(c) An amount equivalent to forty percent of the sale proceeds of public ferries shall be equally distributed among all the Gaon Panchayats falling within the jurisdiction of the Anchalik Panchayat.</p> <p>(d) The sale of all public ferries falling within two or more Anchalik Panchayats shall be conducted by the Anchalik Panchayats by rotation every year. In case of dispute between two Anchalik Panchayats the matter shall be referred to the Zilla Parishad/Government, whose decision shall be final.</p>		
15.	No Provision in the existing section 106. Section 106 (6) to be inserted additionally.	-----	<p>(i) All sale proceeds of Ghats of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner hereinafter provided:-</p> <p>(a) an amount equivalent to twenty percent of the total sale proceeds of Ghats, shall be made over to the Zilla Parishad funds;</p> <p>(b) forty percent shall be made over to the Anchalik Panchayat Fund; and</p> <p>(c) remaining forty percent of the sale proceeds of Ghats shall be retained by the Gaon Panchayat.</p> <p>(ii) All sale proceeds of Ghats of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-</p> <p>(a) an amount equivalent to twenty percent of the total sale proceeds of Ghats, shall be made over to the Zilla</p>	<p>This amendment in respect of Ghats is required to maintain conformity with Section 105(6).</p>

		<p>Parishad funds;</p> <p>(b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat; and</p> <p>(c) remaining forty percent of the sale proceeds of Ghats shall be retained by the Anchalik Panchayat:</p> <p>Provided that all sale proceeds of Ghats shall be deposited in the Anchalik Panchayat Fund and the proceeds accrued from the inter-Anchalik Panchayat public ferries, if there be any, shall be equitably distributed to the Anchalik Panchayats concerned and thereafter the proceeds remaining in an Anchalik Panchayat Fund shall be distributed in the manner provided hereinabove:</p> <p>Provided further that the Anchalik Panchayat shall meet all expenses, if there be any, for the maintenance and improvement of the Ghats from out of the forty percent share of sale proceeds of public ferries received by it:</p> <p>Provided further that if any Anchalik Panchayat fails to make improvement of or neglect to maintain the portion of the inter-Anchalik Panchayat Public ferry falling within the jurisdiction of the Anchalik Panchayat, such expenditure incurred for maintenance and improvement shall be deducted from the share of the defaulting Anchalik Panchayat.</p> <p>(iii) All sale proceeds of the Ghats of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter provided:</p> <p>(a) an amount equivalent to forty percent of the total sale proceeds of Ghats shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;</p> <p>(b) forty percent shall be equally distributed to all the</p>
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			<p>Gaon Panchayat under the Zilla Parishad; and</p> <p>(c) remaining twenty percent of the sale proceeds of Ghats shall be retained by the Zilla Parishad.</p>	
16.	No Provision in the existing section 106. Section 106 (7) to be inserted additionally.	-----	<p>(i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Ghat which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Ghat is situated.</p> <p>(ii) The State Government shall transfer such Government Ghat which has settlement value of Rupees 5(Five) Lakh upto Rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Ghat is situated.</p> <p>(iii) The Ghats falling under the jurisdiction of Zilla Parishad with the yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat Year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:</p> <p>Provided that a transfer under this sub-section above shall be given effect from the following Panchayat Year of such income.</p>	<p>Enhancement of settlement value of assets of Panchayati Raj Institutions can bring several socio-economic benefits to the community. Improved assets will attract more vendors and buyers leading to increased trade and income generation for the PRI Bodies. Higher settlement value will increase own source of revenue.</p> <p>.</p>
17.	Section 108 marginal Note	Transfer of Government fisheries to the Gaon Panchayat & Anchalik Panchayat-	Settlement of Fisheries by Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.	This amendment in respect of ghats is required to maintain conformity with the provisions of section 105 and 106.
18.	Section	Notwithstanding anything in any law for	All Fisheries within the territorial jurisdiction of the	Existing provision states only about

	108(1)	<p>the time being in force, the State Government shall transfer such Government Fishery which has fetched an income of rupees twenty-five thousand or less in a year to the Gaon Panchayat within the jurisdiction of which the fishery is situated:</p> <p>Provided that a transfer under this sub-section shall be given effect from the next following year of such income.</p>	<p>Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as may be prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.</p>	<p>Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.</p>
19.	Section 108(2)	The Government shall transfer Government Fisheries whose annual sale value is more than rupees Twenty-five thousand and less than rupees one lakh with power of their control and administration to the Anchalik Panchayat with the jurisdiction of which such fisheries are situated.	Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.	This amendment is required to incorporate Zilla Parishad for transfer of fisheries.
20.	No Provision in the existing section 108. Section 108 (3) to be inserted additionally.	-----	The powers of examination and final acceptance of such tender shall be vested in the Standing Committee referred to in sub-section (1) of section 22, clause (a) of sub-section (1) of section 52 and clause (a) of section 81.	This amendment is required to maintain conformity with the provisions of the preceding Sections 105(3), 106(3) and succeeding Section 109(3).
21.	No Provision in the existing section 108. Section 108 (4) to be inserted additionally.	-----	<p>In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final:</p> <p>Provided that as and when deemed necessary, the Government may intervene in the matter of a particular settlement and its decision in this regard shall be final.</p>	Power has been delegated to the Zilla Parishads to reduce the cases at the level of Government.

22.	No Provision in the existing section 108. Section 108 (5) to be inserted additionally	-----	Failure to settle any Fishery for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Fishery by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.	Existing Act states only about Haats of Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes for settlement of fisheries
23.	No Provision in the existing section 108. Section 108 (6) to be inserted additionally	-----	<p>(i) All sale proceeds of the Fisheries of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner hereinafter provided:-</p> <p>(a) an amount equivalent to twenty percent of the total sale proceeds of Fisheries, shall be made over to the Zilla Parishad funds;</p> <p>(b) forty percent shall be made over to the Anchalik Panchayat Fund; and</p> <p>(c) remaining forty percent of the sale proceeds of Ghats shall be retained by the Gaon Panchayat.</p> <p>(ii) All sale proceeds of the Fisheries of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-</p> <p>(a) an amount equivalent to twenty percent of the total sale proceeds of Ghats, shall be made over to the Zilla Parishad funds;</p> <p>(b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat; and</p> <p>(c) remaining forty percent of the sale proceeds of Fisheries shall be retained by the Anchalik Panchayat:</p> <p>(iii) All sale proceeds of the Fisheries of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed</p>	Existing Act states only about Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes.

			<p>in the manner hereinafter provided:-</p> <p>(a) an amount equivalent to forty percent of the total sale proceeds of Fisheries shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;</p> <p>(b) forty percent shall be equally distributed to all the Gaon Panchayat under the Zilla Parishad; and</p> <p>(c) remaining twenty percent of the sale proceeds of Fisheries shall be retained by the Zilla Parishad.”</p>	
24.	No Provision in the existing section 108. Section 108 (7) to be inserted additionally	-----	<p>(i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Fisheries which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Fisheries is situated.</p> <p>(ii) The State Government shall transfer such Government Fisheries which has settlement value of Rupees 5(Five) Lakh upto Rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Fishery is situated.</p> <p>(iii) The Fisheries falling under the jurisdiction of Zilla Parishad with a yearly settlement value of more than Rupees 10(Ten) lakh shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:</p> <p>Provided that a transfer under this sub-section above shall be given effect from the following Panchayat Year of such income.”</p>	<p>Enhancement of settlement value of assets of Panchayati Raj Institutions can bring several socio-economic benefits to the community. Improved assets will attract more vendors and buyers leading to increased trade and income generation for the PRI Bodies. Higher settlement value will increase own source of revenue.</p>

25.	Section 109 marginal Note	Settlement of Fisheries and distribution of proceed, thereof	Settlement of Pounds by Gaon Panchayats, Anchalik Panchayats and Zilla Parishads	This amendment in respect of pounds is required to maintain conformity with the provisions of section 105, 106 and 108.
26.	Section 109(1)	Save as otherwise provided in this Act or rules frame there under, all fisheries of an Anchalik Panchayat shall be settled by the Anchalik Panchayat in the manner prescribed for a period coinciding with or not exceeding one Panchayat financial year by inviting tender at the office of the Anchalik Panchayat by its President.	All Pounds within the territorial jurisdiction of the Gaon Panchayat or Anchalik Panchayat or Zilla Parishad shall be settled in the manner as may be prescribed for a period coinciding with and not exceeding one Panchayat Year by inviting tenders at the office of the respective Gaon Panchayat or Anchalik Panchayat or Zilla Parishad by its President.	This amendment is required due to insertion of provisions for pounds.
27.	Section 109(2)	Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.	Detailed procedure for inviting and submission of such tenders shall be such as may be prescribed.	No change
28.	Section 109(3)	The powers of examination and final acceptance of such tender shall be vested in the Standing Committee referred to in Section-52 (i) (a).	The powers of examination and final acceptance of such tenders shall be vested in the Standing Committees referred to in sub-section (1) of section 22, clause (a) of sub-section (1) of section 52 and clause (a) of section 81 respectively for the Gaon Panchayats, Anchalik Panchayats and Zilla Parishads.	Earlier this provision mentioned only about fisheries to be settled by Anchalik Panchayats. This amendment is required due to insertion of provisions for pounds involving all PRIs.
29.	Section 109(4)	All Settlement made under sub-section (3) shall be subject to the confirmation of the Zilla Parishad. Provided that in case of any dispute, the Anchalik Panchayat may refer such cases to the Government and the aggrieved party may appeal before Government whose decision in this regard shall be final: Provided further that as and when deemed necessary, the Government may intervene in the matter	In case of any dispute in settlement, the concerned Gaon Panchayats and Anchalik Panchayats may refer such cases to the Zilla Parishad and in case of dispute in settlement in the Zilla Parishads, such cases may be referred to the Government whose decision in this regard shall be final: Provided that as and when deemed necessary, the Government may intervene in the matter of a particular settlement and its decision in this regard shall be final.	Power has been delegated to the Zilla Parishads to reduce the cases at the level of Government.

		of a particular settlement and its decision in this regard shall be final.		
30.	Section 109(5)	All sale proceeds of public fisheries shall be deposited in the Anchalik Panchayat fund and shall be distributed in the manner hereinafter provided. (a) Twenty percent of the total sale proceeds of the Anchalik Panchayat fisheries shall be made over to the Zilla Parishad fund. (b) Forty percent of the total sale proceeds of the Anchalik Panchayat fisheries shall be retained with the Anchalik Panchayat Fund. (c) Forty percent of the total sale proceeds of Anchalik Panchayat fisheries shall be distributed equally among the Gaon Panchayats falling within the jurisdiction of the Anchalik Panchayat.	Failure to settle any Pound for want of adequate value, the concerned Gaon Panchayat, Anchalik Panchayat and Zilla Parishad, as may be decided by the next higher body, may be entrusted with the direct management of such Pound by the respective Gaon Panchayat, Anchalik Panchayat and Zilla Parishad.	Existing provision of the Act states only about Fisheries of Anchalik Panchayat. This section is amended for inclusion of all the Panchayati Raj Institutes for settlement of pounds.
31.	Section 109(6)	The Hats, Ferries and Fisheries falling under any Anchalik Panchayat within the jurisdiction of Zilla Parishad, the yearly sale value of which is more than rupees one lakh and less than three lakhs shall be settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat Financial year as under Sections 105, 106 and 109 in the manner prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under Section 81 (1) (a). The Distribution of sale proceeds shall be in the manner as prescribed in the foregoing sections.	(i) All sale proceeds of Pounds of the Gaon Panchayat shall be deposited in the Gaon Panchayat fund and distributed in the manner as may be hereinafter provided:- <ul style="list-style-type: none"> (a) an amount equivalent to twenty percent of the total sale proceeds of Pounds, shall be made over to the Zilla Parishad funds; (b) forty percent shall be made over to the Anchalik Panchayat Fund; and (c) remaining forty percent of the sale proceeds of Pounds shall be retained by the Gaon Panchayat. (ii) All sale proceeds of Pounds of the Anchalik Panchayat shall be deposited in the Anchalik Panchayat fund and distributed in the manner hereinafter provided:-	Existing provision states only about sale value and distribution of sale proceeds. The amendment is done in tune with earlier sections 105(6), 106(6) and 108(6).

			<p>(a) an amount equivalent to twenty percent of the total sale proceeds of Pounds, shall be made over to the Zilla Parishad funds;</p> <p>(b) forty percent shall be equally distributed to all the Gaon Panchayats under the Anchalik Panchayat; and</p> <p>(c) remaining forty percent of the sale proceeds of Pounds shall be retained by the Anchalik Panchayat.</p> <p>(iii) All sale proceeds of Pounds of the Zilla Parishad shall be deposited in the Zilla Parishad fund and distributed in the manner hereinafter provided:-</p> <p>(a) an amount equivalent to forty percent of the total sale proceeds of Pounds shall be distributed to all the Anchalik Panchayats under the Zilla Parishad;</p> <p>(b) forty percent shall be equally distributed to all the Gaon Panchayat under the Zilla Parishad; and</p> <p>(c) remaining twenty percent of the sale proceeds of Pounds shall be retained by the Zilla Parishad.</p>	
32.	No Provision in the existing section 109. Section 109 (7) to be inserted additionally	-----	<p>(i) Notwithstanding anything in any law for the time being in force, the State Government shall transfer such Government Pounds which has settlement value of less than Rupees 5(Five) Lakh in a year to the Gaon Panchayat within the jurisdiction of which the Pound is situated.</p> <p>(ii) The State Government shall transfer such Government Pound which has settlement value from Rupees 5(Five) Lakh upto Rupees 10(Ten) Lakh in a year to the Anchalik Panchayat within the jurisdiction of which the Pounds is situated.</p> <p>(iii)The Pounds falling under the jurisdiction of Zilla Parishad with a yearly settlement value of more than Rupees 10(Ten) lakh shall be</p>	Enhancement of settlement value of assets of Panchayati Raj Institutions can bring several socio-economic benefits to the community. Improved assets will attract more vendors and buyers leading to increased trade and income generation for the PRI Bodies. Higher settlement value will increase own source of revenue.

		<p>settled by the Zilla Parishad concerned for a period coinciding with and not exceeding one Panchayat year in the manner as may be prescribed. The powers of examination and final acceptance of such tenders shall be vested in the Standing Committee as under clause (a) of sub-section (1) of section 81:</p> <p>Provided that a transfer under this sub-section shall be given effect from the following Panchayat Year of such income.</p>	
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