

(Authorised English Translation)

**THE RAJASTHAN PANCHAYATI RAJ (AMENDMENT)
BILL, 2019**

(To be Introduced in the Rajasthan Legislative Assembly)

*A
Bill*

further to amend the Rajasthan Panchayati Raj Act, 1994.

Be it enacted by the Rajasthan State Legislature in the Sixty-ninth Year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Rajasthan Panchayati Raj (Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of section 19, Rajasthan Act No. 13 of 1994.- In section 19 of the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994),-

- (i) in clause (q), for the existing punctuation mark “;” appearing at the end, the punctuation mark “:” shall be substituted; and
 - (ii) existing clauses (r), (s), (t) and Explanation-III shall be deleted.
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STATEMENT OF OBJECTS AND REASONS

Clauses (r), (s) and (t) of section 19 of the Rajasthan Panchayati Raj Act, 1994 provide for educational qualification for a member of the Zila Parishad and the Panchayat Samiti as well as for a Sarpanch of a Panchayat. It is considered that the provisions of educational qualification create unreasonable restriction on the right of the voters to contest election at the grass root level. Therefore, it is proposed that the restriction of educational qualification for contesting election for the office of a Sarpanch or a member of a Zila Parishad or a Panchayat Samiti be removed. Accordingly, the clauses (r), (s) and (t) of section 19 and Explanation III of section 19 of the Rajasthan Panchayati Raj Act, 1994 are proposed to be deleted.

The Bill seeks to achieve the aforesaid objectives.

Hence the Bill.

सचिन पायलट,
Minister Incharge.

**EXTRACTS TAKEN FROM THE RAJASTHAN
PANCHAYATI RAJ ACT, 1994
(Act No. 13 of 1994)**

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19. Qualifications for election as a Panch or a member.-

Every person registered as a voter in the list of voters of a Panchayati Raj Institution shall be qualified for election as a Panch or, as the case may be, a member of such Panchayati Raj Institution unless such person-

(a) to (q) xx xx xx xx xx xx

(r) in case of a member of a Zila Parishad or a Panchayat Samiti, has not passed secondary school examination of the Board of Secondary Education, Rajasthan or of an equivalent Board;

(s) in case of a Sarpanch of a Panchayat in a Scheduled Area, has not passed class V from a School; and

(t) in case of a Sarpanch of a Panchayat other than in a Scheduled Area, has not passed class VIII from a School:

Provided that -

(i) to (v) xx xx xx xx xx xx

Explanation-I.- xx xx xx xx xx xx

Explanation-II.- xx xx xx xx xx xx

Explanation-III.- For the purpose of the clauses (s) and (t) of this section-

(i) "Scheduled Area" means the Scheduled Area as referred to in clause (1) of article 244 of the Constitution of India; and

(ii) the word "School" shall have the same meaning as assigned to it in clause (n) of section 2 of the Right of Children to

Free and Compulsory Education Act,
2009 (Central Act No. 35 of 2009).

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2019 का विधेयक सं.3

राजस्थान पंचायती राज (संशोधन) विधेयक, 2019