

THE SIKKIM PANCHAYAT (AMENDMENT) BILL, 2021

(BILL No. 02 OF 2021)

A BILL

further to amend the Sikkim Panchayat Act, 1993.

Be it enacted by the Legislature of Sikkim in the Seventy-second Year of the Republic of India as follows: -

*Short title and
Commencement*

1 (1) This Act may be called the Sikkim Panchayat (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the date of publication in the Official Gazette.

Amendment of Section 11

2. (1) In the Sikkim Panchayat Act, 1993 (hereinafter referred to as the Principal Act), existing section 11 shall be renumbered as subsection (1) of that section and after sub-section (1) as so renumbered the following sub-section (2) shall be inserted, namely:-

“(2) Notwithstanding anything contained in sub-section (1) above, if:

(a) the Gram Sabha fails to perform any of the functions stated in sub-section (1) above, within a reasonable time, or

(b) the Gram Sabha is due to some exceptional circumstances, reasons for which are to be recorded in writing, unable to meet and perform its functions,

(i) Then the Prescribed Authority shall, in consultation with the Gram Panchayat, take a decision and carry out any such function:

Provided that the Prescribed Authority shall ensure consultation with the Gram Panchayat by constituting a Committee, where:

- (A) the members of the Gram Panchayat shall be more in number than the nominees of the State Government;
- (B) the Chairperson of the Committee shall be the senior most Government nominee;
- (C) the recommendations of the Committee shall be by majority.”

Amendment of Section 11A

3. In the principal Act, in section 11 A, in clause (c), before the words “to identify”, the words “to render assistance to Gram Sabha” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

Whereas, it is deemed necessary and expedient to bring in parity the function of the Gram Panchayat in special circumstances of emergency situations, wherein powers are vested on the Administrative Heads to coordinate and take decisions for grant and sanction of benefits to the beneficiaries selected by the Committee.

Therefore, with the above objective, the Bill has been framed.

(Sonam Lama)
Minister –in-Charge
Rural Development Department

FINANCIAL MEMORANDUM

-NIL-

MEMORANDUM REGARDING DELEGATED LEGISLATION

-NIL-