

**GOVERNMENT OF WEST BENGAL
LEGISLATIVE DEPARTMENT**

West Bengal Act II of 1983

**THE WEST BENGAL PANCHAYAT
(AMENDMENT) ACT, 1983.**

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 23rd March, 1983.]

[23rd March, 1983.]

An Act to amend the West Bengal Panchayat Act, 1973.

West Ben.
Act XLI of
1973.

WHEREAS it is expedient to amend the West Bengal *Panchayat Act*, 1973, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Thirty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal *Panchayat* (Amendment) Act, 1983.

Short title
and
commence-
ment.

(3) It shall be deemed to have come into force on the 19th day of January, 1983.

2. In section 2 of the West Bengal *Panchayat Act*, 1973 (hereinafter referred to as the principal Act), for clause (10), the following clause shall be substituted:—

Amendment
of section 2
of West Ben.
Act XLI of
1973.

‘(10) “*Gram*” means an area referred to in section 3;’.

3. In section 3 of the principal Act,—

Amendment
of section 3.

(a) to sub-section (1), the following proviso shall be added:—

“Provided that any group of *mauzas* or parts thereof, when they are not contiguous or have no common boundaries and are separated by an area to which this Act does not extend or in which the remaining sections of this Act referred to in sub-section (3) of section 1 have not come into force, may also be declared to be a *Gram*.”;

(Sections 4, 5.)

- (b) in sub-section (3), for clause (b), the following clause shall be substituted:—

“(b) include in any *Gram* any area contiguous to such *Gram* or separated by an area to which this Act does not extend or in which the remaining sections of this Act referred to in sub-section (3) of section 1 have not come into force; or”.

Amendment
of section 4.

4. In section 4 of the principal Act,—

- (a) in sub-section (2), for the words “not being less than seven”, the words “not being less than five” shall be substituted;

- (b) in sub-section (3),—

(i) in clause (a), the words “, not being less than three or more than fourteen,” shall be omitted;

(ii) in clause (b), for the words “not exceeding three,” the words “not exceeding two,” shall be substituted;

- (c) sub-section (3A) shall be omitted.

Amendment
of section 5.

5. In section 5 of the principal Act,—

- (a) for sub-section (3), the following sub-section shall be substituted:—

“(3) When the area of any *Gram* are divided under clause (c) of sub-section (3) of section 3 so as to constitute two or more *Grams*, there shall be reconstitution of the *Gram Panchayats* for the newly constituted *Grams* in accordance with the provisions of this Act, and the *Gram Panchayat* of the *Gram* so divided shall, as from the date of coming into office of the newly constituted *Gram Panchayats*, cease to exist.”;

- (b) for sub-section (4), the following sub-section shall be substituted:—

“(4) When the areas of two or more *Grams* is united under clause (d) of sub-section (3) of section 3 so as to constitute a single *Gram*, there shall be reconstitution of the *Gram Panchayat* for the newly constituted *Gram* in accordance with the provisions of this Act, and the *Gram Panchayats* of the *Grams* so united shall, as from the date of coming into office of the newly constituted *Gram Panchayats*, cease to exist.”.

(Sections 6-8.)

6. In section 93 of the principal Act,—
- Amendment
of section 93.
- (a) to sub-section (1), the following proviso shall be added:—
- “Provided that a Block may comprise such *Grams* as are not contiguous or have no common boundaries and are separated by an area to which this Act does not extend or in which the remaining sections of this Act referred to in sub-section (3) of section 1 have not come into force.”;
- (b) in sub-section (3), for clause (b), the following clause shall be substituted:—
- “(b) include in any Block any *Gram* contiguous to such Block or separated by an area to which this Act does not extend or in which the remaining sections of this Act referred to in sub-section (3) of section 1 have not come into force; or”.
7. In sub-section (2) of section 94 of the principal Act, in clause (ii), after the words “the *Gram* being divided”, the words “by the prescribed authority” shall be inserted.
- Amendment
of section 94.
8. In section 95 of the principal Act,—
- Amendment
of section 95.
- (a) for sub-section (3), the following sub-section shall be substituted:—
- “(3) When the area of any Block is divided under clause (c) of sub-section (3) of section 93 so as to constitute two or more Blocks, there shall be reconstitution of the *Panchayat Samitis* for the newly constituted Blocks in accordance with the provisions of this Act, and the *Panchayat Samiti* of the Block so divided shall, as from the date of coming into office of the newly constituted *Panchayat Samitis*, cease to exist.”;
- (b) for sub-section (4), the following sub-section shall be substituted:—
- “(4) When the areas of two or more Blocks are united under clause (d) of sub-section (3) of section 93 so as to constitute a single Block, there shall be reconstitution of the *Panchayat Samiti* for the newly constituted Block in accordance with the provisions of this Act, and the *Panchayat Samitis* of the Blocks so united shall, as from the date of coming into office of the newly constituted *Panchayat Samiti*, cease to exist.”.

The West Bengal Panchayat (Amendment) Act, 1983.

[West Ben. Act II of 1983.]

(Sections 9-11.)

Amendment
of section
140.

9. In section 140 of the principal Act, in sub-section (5), for the words "the *Zilla Parishad* of the district shall, as from the date of such division, cease to exist and there shall be reconstitution of the *Zilla Parishads* for the newly constituted districts in accordance with the provisions of this Act.", the words "there shall be reconstitution of the *Zilla Parishads* for the newly constituted districts in accordance with the provisions of this Act and the *Zilla Parishad* of the district so divided shall, as from the date of coming into office of the newly constituted *Zilla Parishads*, cease to exist," shall be substituted.

Amendment
of section
203.

10. In section 203 of the principal Act, in sub-section (5), for the words "immediately after the election", the words "immediately after the poll" shall be substituted.

Repeal and
saving.

11. (1) The West Bengal *Panchayat* (Amendment) Ordinance, 1983 is hereby repealed.

West Ben.
Ord. I of
1983.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the West Bengal *Panchayat* (Amendment) Ordinance, 1983 shall be deemed to have been validly done or taken under the principal Act as amended by this Act.
