



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

## NOTIFICATION

The 13th February, 2024

No. LLE. 22/2024/27.- The following Bills were introduced in the House on **13<sup>th</sup> February, 2024** along with the Statement of Objects and Reasons are to be published under Rule 71 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly for General information. You are, therefore, requested to download all the Bills from Official website of Assam Legislative Assembly mentioned below:

## THE MISING AUTONOMOUS COUNCIL (AMENDMENT) BILL, 2024

### A

### BILL

further to amend the Mising Autonomous Council Act, 1995.

Preamble	<p>Whereas it is expedient further to amend the Mising Autonomous Council Act, 1995 hereinafter referred to as the principal Act, in the manner hereinafter appearing;</p> <p>It is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :-</p>	<p><b>Assam Act No. XXVI of 1995</b></p>
Short title, extent and commencement	<p>1. (1) This Act may be called the Mising Autonomous Council (Amendment) Act, 2024.</p> <p>(2) It shall have the like extent as the principal Act.</p> <p>(3) It shall come into force at once.</p>	
Amendment of section 2	<p>2. In the principal Act, in section 2,</p> <p>(i) in clause (i), the words “and ‘Village Council Fund” shall be deleted.</p> <p>(ii) in clause (l), the words “the Village Council or” shall be deleted.</p> <p>(iii) clause (r) and (s) shall be deleted.</p> <p>(iv) in clause (v), in the fourth line, for the words “Welfare of Plain Tribes and Backward Classes” appearing in between the words and punctuation mark “Department, of” and “,Government of Assam”, the words “Tribal Affairs (Plain)” shall be substituted.</p>	
Amendment of section 3	<p>3. In the principal Act, in section 3, in sub-section (1), in the second line, the words “of the Village Councils” appearing in between the words, “of the areas” and “as may be” shall be deleted.</p>	
Omission of section 4	<p>4. In the principal Act, section 4, shall be omitted.</p>	
Amendment of section 6	<p>5. In the principal Act, in section 6, for sub-section (1), the following shall be substituted, namely:-</p> <p>“(1) The General Council shall consist of 45 members of which 40 (Forty) shall be directly elected and 5 (five) shall be nominated by the Government with the concurrence of the Mising Autonomous Council from amongst the groups of communities residing in the council Area and not otherwise represented in the General Council. Out of 40 (forty) seats, 28 (twenty eight) seats shall be reserved for Scheduled Tribes and 7 (seven) seats shall be reserved for women of any community.”</p>	

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|-------------------------------|-----|--|
| Amendment of section 15       | 6.  | In the principal Act, in section 15, in the second line for the figures and word, "10 (ten)" appearing in between the words, "shall be" and "member", the figure and words "23 (twenty-three)" shall be substituted.   |
| Amendment of section 20       | 7.  | In the principal Act, in section 20, sub-section (5) shall be deleted.   |
| Amendment of section 23       | 8.  | In the principal Act in section 23, in sub-section (1), in the fourth line, the words "18, 19, 43 and 44" appearing in between the words, "sections" and "for regulations", the figures and words "18 and 19" shall be substituted.  |
| Omission of sections 31 to 47 | 9.  | In the principal Act, after section 30, the words, "CHAPTER-V THE VILLAGE COUNCIL" and sections 31 to 42 and the words "CHAPTER-VI POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL" and sections 43 to 47 shall be omitted.  |
| Amendment of section 48       | 10. | <p>In the principal Act, for section 48, the following shall be substituted, namely:-</p> <p>"(1) There shall be 40 (forty) constituencies in the Council Area for electing members to the General Council. Each constituency shall be a single member constituency.</p> <p>(2) The Government shall, by order published in the Official Gazette, determine the territorial limits of the constituencies into which the Council area shall be delimited for the purpose of election of members to the General Council."</p>  |
| Amendment of section 50       | 11. | <p>In the principal Act, for section 50, the following shall be substituted, namely:-</p> <p>"(1) Subject to the provisions of this Act and the rules made there under, so much of the electoral roll for the Assembly Constituency in force on the last date of nomination, as is relatable to a General Council Constituency, as defined in clause (b) of section 2, shall be the electoral roll for that General Council Constituency.</p> <p>(2) Persons, whose names are included in the electoral roll as aforesaid in sub-section (1) above, shall be the electorate for the election of members of the General Council."</p> |
| Amendment of section 52       | 12. | In the principal Act, in section 52, in the third line, the words "and the Village Council" appearing in between the words, "General Council" and "shall" shall be deleted.  |
| Amendment of section 53       | 13. | <p>In the principal Act, in section 53,</p> <p>in the marginal heading, the word "Village Council or" and in the first line, the words "either to the Village Council or" appearing in between the words "member" and the "General Council" shall be deleted.</p>  |
| Amendment of section 54       | 14. | <p>In the principal Act, in section 54,</p> <p>(i) in the marginal heading, the words "Village Council or" shall be deleted.</p>   |

- (ii) in sub-section (1), in the first line, for the words “either to the Village Council or” appearing in between the words, “elected” and “the General”, the word “to” shall be substituted.
- (iii) in sub-section (1), in clause (e), in the third line, the words “Village Council” appearing in between the words, “behalf of ” and “General Council” shall be deleted.
- (iv) in sub-section (1), in clause (h), in the proviso, in the second line, the words “a member, President or Vice-President of the Village Council or” appearing in between the words “ his being” and “ a member” shall be deleted.
- Amendment of section 57      15. In the principal Act, in section 57, in the first line, the words “Village Council and” appearing in between the words “elected to” and “and” and in the third line, the words “the Village Council” appearing in between the words “the” and “and” shall be deleted.
- Amendment of section 58      16. In the principal Act, for section 58, the following shall be substituted, namely:-
- “58. If an elected member is chosen to be a Member of Parliament or the State Legislature then at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in the Parliament or the State Legislature, as the case may be.”
- Amendment of section 59      17. In the principal Act, in section 59,
- (i) in sub-section (1), the proviso shall be substituted by the following, namely:-
- “Provided that no person below the rank of District Judge , within the meaning of Article 236 of the Constitution, in case of member of the General Council shall be appointed for the purpose.”
- (ii) in sub-section (2), for clause (a), the following shall be substituted, namely:-
- “(a) that on the date of his election the returned candidate was not qualified or was disqualified to be chosen to fill the seat in the General Council.”
- Amendment of section 60      18. In the principal Act, in section 60, in the third line, the words, “to the Village Council and” appearing in between the words, “election” and “to the” shall be deleted.
- Amendment of section 61      19. In the principal Act, in section 61,
- (i) in the marginal heading, the words “and Village Council Fund” shall be deleted.
- (ii) for sub-section (1), the following shall be substituted, namely:-

- “(1) For General Council Fund there shall be a fund called General Council Fund.”
- (iii) for sub-section (2), the following shall be substituted, namely :-
- “(2) The fund as aforesaid shall be under separate sub-heads within the state budget to be held for the purpose of the Act and all money realized or realizable under this Act and all money otherwise received by the General Council shall be credited to this fund.”
- (iv) sub-section (3) to sub-section (12) shall be deleted.
- (v) sub-section (13), shall be renumbered as sub-section (3) and as so renumbered, in sub-section (3), in the first line, the words, “and the Village Council” appearing in between the words “ Council” and “shall” shall be deleted.
- Amendment of section 62      20. In the principal Act, in section 62, in the sixth, seventh and tenth line, the words “and the Village Councils” shall be deleted.
- Amendment of section 63      21. In the principal Act, in section 63,
- (i) in sub-section (1), the words, “The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for consideration and onward transmission to the Government on or before the 1st October of the current financial year.” shall be deleted.
- (ii) for sub-section (2), the following shall be substituted , namely:-
- “(2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council concerned, as the case may be, for reconsideration on the observations of the Government, if any. The General Council concerned shall thereupon resubmit the budget along with its comments on the observations and if the approval of the Government upon such submission or resubmission as the case may be, is not received by the budget shall be deemed to have been approved by the Government.”
- (iii) for sub-section (3), the following shall be substituted, namely:-
- “(3) No expenditure shall be incurred unless the budget of the General Council is either approved or deemed to have been approved by the Government.”
- Amendment of section 64      22. In the principal Act, in section 64, in the second line, the words “or the Village Councils” appearing in between the words “Executive Council” and “as the case” shall be deleted.

- Amendment of section 67      23. In the principal Act, in section 67, sub-sections (2) and (3) shall be deleted.
- Amendment of section 68      24. In the principal Act, in section 68,
- (i) in the marginal heading for the words and punctuation mark, "Dissolution of General Council, Executive Councils and Village Council", the words "Dissolution of General Council and Executive Council" shall be substituted.
- (ii) in sub-section (1), in the seventh line, the words, "and the Village Council" appearing in between the words "Executive Council" and "before" shall be deleted.
- Amendment of section 69      25. In the principal Act, in section 69,
- (i) in clause (a), in the first line, for the words and punctuation mark, ", Executive Council and the Village Council", the words "and the Executive Council" shall be substituted.
- (ii) in clause (b), in the first line, for the words, and punctuation mark, ", Executive Council and the Village Council", the words "and the Executive Council" shall be substituted.
- Amendment of section 72      26. In the principal Act, for section 72, the following shall be substituted, namely:-
- "72. The Chief Executive Councilor, Deputy Chief Executive Councilor, the Executive Councilor of the General Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 or sub-section (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023."
- Central Act  
No 45 of 1860  
Central Act  
No. 45 of 2023
- Amendment of section 73      27. In the principal Act in section 73, in the first line, the words "or the Village Council" appearing in between the words, "Council" and "as the case" shall be deleted.
- Amendment of section 74      28. In the principal Act in section 74, in the second line, the words "or the Village Council" appearing in between the words "Council" and "or any member" shall be deleted.
- Amendment of section 80      29. In the principal Act, in section 80, in the fourth line, the words "to perform in addition, the functions of the Village Councils" appearing in between the words "there-from" and "till the" shall be deleted.

**STATEMENT OF OBJECTS AND REASONS**

The bill proposes to Amendment of the Mising Autonomous Council Act, 1995 to remove the provisions of Village Council.

Due to the presence of a functioning Panchayati Raj System at the grass root level, another similar organization in the name of Village Councils under the Act is not required.

**RANOJ PEGU,**

Minister,

Department of Tribal Affairs (Plain), Assam.

**HEMEN DAS,**

Principal Secretary,

Assam Legislative Assembly.

**FINANCIAL MEMORANDUM**

The bill proposes for Amendment of the Mising Autonomous Council Act, 1995 to remove the provisions of Village Council will not have financial burden on the State Exchequer.

**RANOJ PEGU,**

Minister,

Department of Tribal Affairs (Plain), Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

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

**RANOJ PEGU,**

Minister,

Department of Tribal Affairs (Plain), Assam.



## THE RAGHA HASONG AUTONOMOUS COUNCIL (AMENDMENT) BILL, 2024

### A

### BILL

further to amend the Rabha Hasong Autonomous Council Act, 1995.

Preamble	<p style="text-align: center;">Whereas it is expedient further to amend the Rabha Hasong Autonomous Council Act, 1995, hereinafter referred to as the principal Act, in the manner hereinafter appearing;</p> <p style="text-align: center;">It is hereby enacted in the Seventy-fifth Year of the Republic of India, as follows :-</p>	<p><b>Assam Act No. XVII of 1995</b></p>
Short title, extent and commencement	<p>1. (1) This Act may be called the Rabha Hasong Autonomous Council (Amendment) Act, 2024.</p> <p>(2) It shall have the like extent as the principal Act.</p> <p>(3) It shall come into force at once.</p>	
Amendment of section 2	<p>2. In the principal Act, in section 2,</p> <p>(i) in clause (g), the words “and ‘Village Council Fund’” shall be deleted;</p> <p>(ii) in clause (l), the words “the Village Council or” shall be deleted;</p> <p>(iii) clause (r) and clause(s) shall be deleted.</p>	
Amendment of section 3	<p>3. In the principal Act, in section 3, in sub-section (1), in the fourth line, the words “of the Village Councils” appearing in between the words “areas” and “as may be” shall be deleted.</p>	
Omission of section 4	<p>4. In the principal Act, section 4, shall be omitted.</p>	
Amendment of section 20	<p>5. In the principal Act, in section 20, sub-section (5), shall be deleted.</p>	
Amendment of section 23	<p>6. In the principal Act, in section 23, in sub-section (1), for the figures and punctuation marks “, 18, 19, 43 and 44” the figures and words “18 and 19” shall be substituted.</p>	
Omission of sections 31 to 47	<p>7. In the principal Act, after section 30, the words, “CHAPTER-V THE VILLAGE COUNCIL” and sections 31 to 42 and the words “CHAPTER-VI POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL” and sections 43 to 47 shall be omitted.</p>	
Amendment of section 48	<p>8. In the principal Act, in section 48,</p> <p>(i) sub-section (1) shall be deleted and sub-sections (2) and (3) shall be renumbered as sub-sections (1) and (2) respectively;</p>	

- (ii) in sub-section (2), so renumbered, in the third line, the words “the Village Council Area or” and in the sixth line, the words “the Village Council and” shall be deleted.
- Amendment of section 50      9. In the principal Act, in section 50,
- (i) in sub-section (1), in the fifth and seventh line, for the word “Village” the word “General” shall be substituted;
- (ii) sub-section (2) shall be deleted and sub-section (3), (4) and (5) shall be renumbered as sub-sections (2), (3) and (4) respectively;
- (iii) for sub-section (2), so renumbered, the following shall be substituted, namely:-
- “(2) Persons whose names are included in the electoral roll as per sub-section (1) above, shall be the electorate for the election of members of the General Council.”
- (iv) in sub-section (4), so renumbered, in the second line, the words “the Village Councils and” appearing in between the words “election to” and “the General” shall be deleted.
- Amendment of section 52      10. In the principal Act, in section 52, in the fourth line, the words “and the Village Council” appearing in between the words “Council” and “shall be” shall be deleted.
- Amendment of section 53      11. In the principal Act, in section 53, in the marginal heading, the words “Village Council or” and in the second line, the words “either the Village Council or” appearing in between the words “member of” and “the General” shall be deleted.
- Amendment of section 54      12. In the principal Act, in section 54,
- (i) in the marginal heading, the words “Village Council for” shall be deleted;
- (ii) in sub-section (1), in the second line, for the words “either to the Village Council or” appearing in between the words “elected” and “the General” the word “to” shall be substituted;
- (iii) in clause (e), in the fifth line, the words and punctuation mark “Village Council,” appearing in between the words “of the” and “General” shall be deleted;
- (iv) in clause (h), in the proviso, in the third line, for the words “a member, President or Vice-President of the Village Council or” appearing in between the words “his being” and “a member,” shall be deleted.

- Amendment of section 57      13. In the principal Act, in section 57, in the second line, the words "Village Councils and" and in the fifth line, the words "the Village Councils and" shall be deleted.
- Amendment of section 58      14. In the principal Act, for section 58, the following shall be substituted, namely:-  
"58. If an elected member is chosen to be a Member of Parliament or the State Legislature then at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in the Parliament or the State Legislature, as the case may be."
- Amendment of section 59      15. In the principal Act, in section 59,  
(i) in sub-section (1), in the proviso, in second line, the words and punctuation mark "assistant District Judge, in case of member of Village Council and" and in the fifth line, for the words and punctuation mark "in case of member of the General Council," shall be deleted;  
(ii) in sub-section (2), in clause (a), in the fifth line, the words "the Village Council or" and in the sixth line, the words and punctuation mark ", as the case may be" shall be deleted.
- Amendment of section 60      16. In the principal Act, in section 60, in the fourth line, the words "to the Village Councils and" appearing in between the words "election" and "to the" shall be deleted.
- Amendment of section 61      17. In the principal Act, in section 61,  
(i) in the marginal heading, the words "and Village Council Fund" shall be deleted;  
(ii) for sub-section (1), the following shall be substituted, namely:-  
"(1) There shall be a fund called the General Council Fund.";  
(iii) in sub-section (2),  
(a) in the first line, in the beginning, for the word "Each", the word "The" shall be substituted;  
(b) in the sixth line, the words and punctuation mark "or the Village Council, as the case may be," shall be deleted;  
(c) in the last line, for the words "its respective" the words "this" shall be substituted;

- (iv) sub-section (3) to (12) shall be deleted;
- (v) sub-section (13) shall be renumbered as sub-section (3) and as so renumbered, in sub-section (3), in the second line, the words, "and the Village Council" appearing in between the words "Council" and "shall be" shall be deleted.
- Amendment of section 62      18. In the principal Act, in section 62, in the sixth line, the words "and Village Council" and in the twelfth, fourteenth and eighteenth lines, the words "and the Village Councils" shall be deleted.
- Amendment of section 63      19. In the principal Act, in section 63,
- (i) in sub-section (1), the words, "The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for consideration and onward transmission to the Government on or before the 1st October of the current financial year." shall be deleted;
- (ii) for sub-section (2), the following shall be substituted, namely:-  
 "(2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council, for reconsideration on the observations of the Governments, if any. The General Council shall thereupon resubmit the budget along with its comments on the observation and if the approval of the Government upon such submission or resubmission is not received by the General Council, the budget shall be deemed to have been approved by the Government".
- (iii) in sub-section (3), in the second line, for the words "as well as the budget of the Village Councils are" appearing in between the words "Council" and "either" the word "is" shall be substituted.
- Amendment of section 64      20. In the principal Act, in section 64, in the fourth line, the words "or the Village Councils" appearing in between the words "Council" and "as the case" shall be deleted.
- Amendment of section 67      21. In the principal Act, in section 67, in the beginning, the number and brackets "(1)" appearing before the word "Subject" and the sub-sections (2) and (3) shall be deleted.
- Amendment of section 68      22. In the principal Act, in section 68,
- (i) in the marginal heading, for the words and punctuation mark, "Dissolution of General Council, Executive Council, and Village Council" the words "Dissolution of General Council and Executive Council" shall be substituted;

- (ii) in sub-section (1), in the thirteenth line, for the words and punctuation mark “, the Executive Council and the Village Council” and in the seventeenth line, for the words and punctuation mark “, the Executive Council and the Village Councils”, the words “ and the Executive Council” shall be substituted.
- Amendment of section 69      23. In the principal Act, in section 69,
- (i) in clause (a), in the second line, for the words and punctuation mark “, Executive Council and the Village Councils”, the words “and the Executive Council” shall be substituted;
- (ii) in clause (b), in the second line, for the words and punctuation mark “, Executive Council and the Village Councils”, the words “and the Executive Council” shall be substituted.
- Amendment of section 72      24. In the principal Act, for section 72, the following shall be substituted, namely :-
- “72. The Chief Executive Councilor and the Executive Councilors shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code 1860 or sub-section (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.”
- Central Act No.  
45 of 1860
- Central Act No.  
45 of 2023
- Amendment of section 73      25. In the principal Act, in section 73, in the third line, the words and punctuation mark “or the Village Council,” appearing in between the words “Council” and “the case” shall be deleted.
- Amendment of section 74      26. In the principal Act, in section 74, in the third line, the words “or the Village Council” appearing in between the words “Council and “or any member” shall be deleted.
- Amendment of section 80      27. In the principal Act, in section 80, in the third line, the words “to perform in addition, the functions of the Village Councils” appearing in between the words “there-from” and “till the” shall be deleted.

**STATEMENT OF OBJECTS AND REASONS**

The bill proposes to Amendment of the Rabha Hasong Autonomous Council Act, 1995 to remove the provisions of Village Council.

Due to the presence of a functioning Panchayati Raj System at the grass root level, another similar organization in the name of Village Councils under the Act is not required.

**RANOJ PEGU,**

Minister,

Department of Tribal Affairs (Plain), Assam.

**HEMEN DAS,**

Principal Secretary,

Assam Legislative Assembly.

**FINANCIAL MEMORANDUM**

The bill proposes for Amendment of the Rabha Hasong Autonomous Council Act, 1995 to remove the provisions of Village Council will not have financial burden on the State Exchequer.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

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

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**THE THENGAL KACHARI AUTONOMOUS COUNCIL  
(AMENDMENT) BILL, 2024**

**A**

**BILL**

further to amend the Thengal Kachari Autonomous Council Act, 2005.

Preamble Whereas it is expedient further to amend the Thengal Kachari Autonomous Council Act, 2005, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam Act  
No. XXXVIII  
of 2005

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

- |                                      |  |
|--------------------------------------|--|
| Short title, extent and commencement | 1. (1) This Act may be called the Thengal Kachari Autonomous Council (Amendment) Act, 2024.<br>(2) It shall have the like extent as the principal Act.<br>(3) It shall come into force at once.  |
| Amendment of section 2               | 2. In the principal Act, in section 2,<br>(i) in clause (g), the words "and 'Village Council Fund'" shall be deleted;<br>(ii) in clause (l), the words "the Village Council or" shall be deleted;<br>(iii) clause (r) and clause (s) shall be deleted. |
| Amendment of section 3               | 3. In the principal Act, in section 3, in sub-section (1), in the third line, the words "of the Village Councils" shall be deleted.  |
| Omission of section 4                | 4. In the principal Act, section 4 shall be omitted.   |
| Amendment of section 20              | 5. In the principal Act, in section 20, sub-section (5) shall be deleted.  |
| Amendment of section 23              | 6. In the principal Act, in section 23, in sub-section (1), in the sixth line, for the words and the figures, "sections 18, 19, 43 and 44", the figures and words "sections 18 and 19" shall be substituted.   |
| Omission of sections 31 to 47        | 7. In the principal Act, after section 30, the words, "CHAPTER-V THE VILLAGE COUNCIL" and sections 31 to 42 and the words "CHAPTER-VI POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL" and sections 43 to 47 shall be omitted.                             |
| Amendment of section 48              | 8. In the principal Act, in section 48,<br>(i) sub-section (1) shall be deleted and sub-sections (2) and (3) shall be renumbered as sub-sections (1) and (2) respectively;<br>(ii) in sub-section (2), so renumbered, in the third line,               |



- the words “the Village Council Area or” and in the fifth line, the words “the Village Council and” shall be deleted.
- Amendment of section 50
9. In the principal Act, in section 50,
- (i) in sub-section (1), in the fourth and sixth line, for the word “Village” the word “General” shall be substituted;
  - (ii) sub-section (2) shall be deleted and sub-section (3) and (4) shall be renumbered as sub-sections (2) and (3) respectively;
  - (iii) for sub-section (2), so renumbered, the following shall be substituted, namely:-  
“(2) Persons whose names are included in the electoral roll as per sub-section (1) above, shall be the electorate for the election of members of the General Council.”
- Amendment of section 52
10. In the principal Act, in section 52, in the third line, the words “and the Village Council” appearing in between the words “Council” and “shall be” shall be deleted.
- Amendment of section 53
11. In the principal Act, in section 53,
- (i) in the marginal heading, the words “Village Council or” shall be deleted.
  - (ii) in the second line, the words “either the Village Council or” appearing in between the words “member of” and “the General” shall be deleted.
- Amendment of section 54
12. In the principal Act, in section 54,
- (i) in the marginal heading, the words “Village Council or” shall be deleted;
  - (ii) in sub-section (1), in the first line, for the words “either to the Village Council or” appearing in between the words “elected” and “the General”, the word “to” shall be substituted;
  - (iii) in clause (e), in the third line, the words and punctuation mark “Village Council,” shall be deleted;
  - (iv) in clause (h), in the proviso, in the third line, for the words and punctuation mark “a member, President or Vice-President of the Village Council or” appearing in between the words “his being” and “a member” shall be deleted.

- Amendment of section 57      13. In the principal Act, in section 57, in first line, the words “Village Councils and” and in third line, the words “the Village Councils and” shall be deleted.
- Amendment of section 58      14. In the principal Act, for section 58, the following shall be substituted, namely:-  
“58. If an elected member is chosen to be a Member of Parliament or the State Legislature then at the expiration of fourteen days from the date of publication in the Official Gazette of India or the Official Gazette of state, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in the Parliament or the State Legislature, as the case may be.”
- Amendment of section 59      15. In the principal Act, in section 59,  
(i) in sub-section (1), in the proviso, in the first line, the words and punctuation mark “Assistant District Judge, in case of member of Village Council and” and in the fourth line, the words and punctuation mark “in case of member of the General Council,” shall be deleted;  
(ii) in sub-section (2), in clause (a), in the third line, the words “the Village Council or” and in the fourth line, the words and punctuation mark “, as the case may be” shall be deleted.
- Amendment of section 60      16. In the principal Act, in section 60, in the third line, the words “to the Village Councils and” appearing in between the words “election” and “to the” shall be deleted.
- Amendment of section 61      17. In the principal Act, in section 61,  
(i) in the marginal heading, the words “and Village Council Fund” shall be deleted;  
(ii) for sub-section (1), the following shall be substituted, namely:-  
“(1) For the General Council there shall be a fund called General Council Fund.”  
(iii) for sub-section (2), the following shall be substituted, namely:-  
“(2) The fund as aforesaid shall be under separate sub-head within the state budget to be held for the purpose of this Act and all moneys realized or realizable under this Act and all moneys otherwise received by the General Council shall be credited to this fund.”

- (iv) sub-section (3) to (12) shall be deleted;
  - (v) sub-section (13) shall be renumbered as sub-section (3) and as so renumbered, in sub-section (3), in the first line, the words, "and the Village Council" shall be deleted.
- Amendment of section 62      18. In the principal Act, in section 62, in the fifth line, the words "and Village Council" and in the tenth, twelfth and sixteenth lines, the words "and the Village Councils" shall be deleted.
- Amendment of section 63      19. In the principal Act, in section 63,
- (i) in sub-section (1), the words, "The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for consideration and onward transmission to the Government on or before the 1<sup>st</sup> October of the current financial year." shall be deleted;
  - (ii) for sub-section (2), the following shall be substituted, namely:-
    - "(2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council, for reconsideration on the observations of the Governments, if any. The General Council shall thereupon resubmit the budget along with its comments on the observation and if the approval of the Government upon such submission or resubmission as the case may be, is not received by the General Council, the budget shall be deemed to have been approved by the Government".
  - (iii) in sub-section (3), in the second line, for the words "as well as the budget of the Village Councils are" appearing in between the words "Council" and "either" the word "is" shall be substituted.
- Amendment of section 64      20. In the principal Act, in section 64, in third line, the words "or the Village Councils" appearing in between the words "Council" and "as the case" shall be deleted.
- Amendment of section 67      21. In the principal Act, in section 67,
- (i) in the first line, in the beginning, before the word "Subject", the number and brackets "(1)" shall be deleted;
  - (ii) sub-sections (2) and (3) shall be deleted.

- Amendment of section 68
22. In the principal Act, in section 68,
- (i) in the marginal heading, for the words and punctuation mark, "Dissolution of General Council, Executive Council, and Village Council" the words "Dissolution of General Council and Executive Council" shall be substituted;
  - (ii) in sub-section (1), in the ninth line, for the words and punctuation mark ", the Executive Council and the Village Council", and in tenth line, for the the words and punctuation mark ", the Executive Council and the Village Councils and", the words "and the Executive Council" shall be substituted.
- Amendment of section 69
23. In the principal Act, in section 69,
- (i) in clause (a), in the first line, for the words and punctuation mark ", Executive Council and the Village Council", the words "and the Executive Council" shall be substituted;
  - (ii) in clause (b), in the second line, for the words and "the Executive Council and the Village Council", the words "and the Executive Council" shall be substituted.
- Amendment of section 72
24. In the principal Act, for section 72, the following shall be substituted, namely :-
- "72. The Chief Executive Councilor and the Executive Councilors of the General Council shall be deemed to be public servants within the meaning of section 21 of the India Penal Code, 1860 or sub-section 28 of section 2 of the Bharatiya Nyaya Sanhita, 2023".
- Amendment of section 73
25. In the principal Act, in section 73, in the second line, the words and punctuation mark "or the Village Council", appearing in between the words "Council" and "as the case" shall be deleted.
- Amendment of section 74
26. In the principal Act, in section 74, in the second line, the words "or the Village Council" appearing in between the words "Council" and "or any" shall be deleted.
- Amendment of section 80
27. In the principal Act, in section 80, in the third line, for the punctuation mark and words ", The Interim Executive Council shall, in addition, look after the duties of the Village Councils till the same are constituted under this Act" shall be deleted.

Central Act  
No 45 of 1860  
Central Act  
No 45 of 2023

**STATEMENT OF OBJECTS AND REASONS**

The bill proposes to Amendment of the Thengal Kachari Autonomous Council Act, 2005 to remove the provisions of Village Council.

Due to the presence of a functioning Panchayati Raj System at the grass root level, another similar organization in the name of Village Councils under the Act is not required.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**HEMEN DAS,**  
Principal Secretary,  
Assam Legislative Assembly.

**FINANCIAL MEMORANDUM**

The bill proposes for Amendment of the Thengal Kachari Autonomous Council Act, 2005 to remove the provisions of Village Council will not have financial burden on the State Exchequer.

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.

**MEMORANDUM OF DELEGATED LEGISLATION**

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

**RANOJ PEGU,**  
Minister,  
Department of Tribal Affairs (Plain), Assam.