

The U.P. Panchayat Raj Act, 1947

(U.P. Act No. 26 of 1947)

(As amended by U.P. Act No. 33 of 1999, U.P. Act No. 22 of 2000, U.P. Act No. 24 of 2001 and U.P. Act No. 12 of 2004, and U.P. Act No. 44 of 2007, Uttaranchal Act No. 7 of 2002, Uttaranchal Act No. 8 of 2002, Uttaranchal Act No. 30 of 2005 and Uttaranchal Act No. 5 of 2007)

(Received the assent of the Governor-General of the Dominion of India on 7th December, 1947, under Section 76 of the Government of India Act, 1935 and published in the U.P. Government Gazette, dated 27th December, 1947)

An Act to establish and Develop Local Self-Government in the Rural Areas of the U.P.

Preamble

Whereas it is expedient to establish and develop Local Self-Government in the rural areas of the Uttar Pradesh and to make better provision for village administration and development.

It is hereby enacted as follows :-

Note - Vidhayai Evan Sansadiya Karya Vibhag, Noti. No. 218/Vidhayai and Sansadiya Karya/2002, dated 19.06.2002. It was assented by the Governor on June 16, 2002 and published in the Uttaranchal Gazette, Extra., Part 1, Section(ka), dated 19th June 2002.

The Uttaranchal Tristariya Panchayat Raj Amendment Act, 2002

[Uttaranchal Act No. 8 of 2002]

An Act to amend the Uttar Pradesh Panchayat Raj Act, 1947 and Uttar Pradesh Kshettra Panchayat and Zila Panchayat Act (Uttaranchal Adaptation and Modification Order), 2001 in its applicability to the State of Uttaranchal.

It is hereby enacted in the Fifty-third year of the Republic of India as follows :-

CHAPTER-I

1. **Short title and commencement** – (1) This Act may be called the **Uttaranchal Tristariya Panchayat Raj Amendment Act, 2002**.
 (2) It extends to the whole of Uttaranchal State.
 (3) It shall come into force with immediate effect.
2. **The word “Uttar Pradesh” shall be read as “Uttaranchal”** – In Uttar Pradesh Panchayat Raj Act, 1947 (Act No. 26 of 1947) also wherever the expression “Uttar Pradesh” occurs the same shall be read as “Uttaranchal”.

CHAPTER – I

Preliminary

1. **Short title, extent and commencement** – (i) This Act may be called the U.P. Panchayat Raj Act No. 26 of 1947.¹

(ii) It shall extend to the whole of Uttar Pradesh except the area which has been or may hereafter be declared as, or included in,²[a city under the Uttar Pradesh] ³[Municipal Corporation Act, 1959, or] a Municipality or Notified Area under the provisions of the U.P. Municipalities Act, 1916, or as a Cantonment under the provisions of the Cantonments Act, 1924, or as a ²[Nagar Panchayat] under the provisions of the ⁴[U.P. Town Areas Act, 1914].

⁵[* * *]

(iii) It shall come into force at once.

2. **Definitions** – In this Act, unless there is anything repugnant in the subject or context. –

a) Nyaya Panchayat’ means a Nyaya Panchayat established under section 42 and includes a bench thereof;

b) ‘Adult’ means a person who has attained the age of twenty-one years;

⁶[(bb)‘backward classes’ means the backward classes of citizens specified in Schedule 1 of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994 (4 of 1994)];

c) ‘Criminal case’ means a criminal proceeding in respect of an offence triable by a Nyaya Panchayat ⁷[and includes a proceedings under Section 53];

d) ‘Circle’ means the area within which a Nyaya Panchayat exercises jurisdiction under Section 42;

¹ The work “Up-Pradhan” wherever occurring including marginal Headings Omitted by U.P. Act No. 44 of 2007 published in U.P. Gazette Extra Part I Section (Ka) dated 10th December, 2007 (w.e.f. 20 August, 2007)

² Ins. by Act No. 37 of 1978.

³ Subs. by U.P. Act No. 12 of 1994.

⁴ Now repealed by U.P. Act No. 12 of 1994.

⁵ Explanation omitted by U.P. Act No. 37 of 1978.

⁶ Ins. by U.P. Act No. 9 of 1994.

⁷ Ins. by U.P. Act No. 37 of 1978, dated 30th December, 1978.

- e) ‘Collector’ or ‘District Magistrate’ or ‘Sub-divisional Magistrate’ with reference to a ¹[Gram Sabha], means the Collector, District Magistrate or Sub-divisional Magistrate of the district or the sub-division, as the case may be, in which such ¹[Gram Sabha] is constituted; and shall respectively include Additional Collector, Additional District Magistrate and Additional Sub-divisional Magistrate;
- ²[“ee) ‘Electoral Registration Officer’ means an officer designated or nominated as such by the State Election Commission in consultation with the State Government for preparing and revising the electoral rolls in a district’
- ²[eee) ‘Assistant Electoral Registration Officer’ means a person appointed as such by the Electoral Registration Officer for one or more Panchayat areas”.
- ³[f) ‘Zila Panchayat’ shall have the meaning assigned to it under Clause (11) of Section 2 of the Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961;
- ⁴[g) “Gram Sabha” means a body, established under Section 3, consisting of persons registered in the electoral rolls relating to a village comprised within the area of Gram Panchayat;
- ⁵[h) ‘Gram Panchayat’ means the Gram Panchayat ⁶[constitute] under Section 12;
- ⁷[hh) ‘Finance Commission’ means the Finance Commission constituted under Article 243-I of the Constitution’
- ⁷[hhh) ‘Kshetra Panchayat’ shall have the meaning assigned to it under Clause (6) of Section 2 of the Uttar Pradesh Kshetra Panchayats and Zila Panchayats Adhiniyam, 1961];
- i) [* * *] Deleted by U.P. Act No. 17 of 1990.
- j) ‘Minority Community’ [omitted by Section 3 of U.P. Act II of 1955];
- ⁸[k) ‘Munsif and Judicial Magistrate’ with reference to Nyaya Panchayat, means the Munsif or the Magistrate as the case may be, having local

¹ Subs. by U.P. Act No. 9 of 1994.

² Ins. by U.P. Act No. 12 of 2004 (w.e.f. 5.7.2004).

³ Subs. by U.P. Act No. 9 of 1994.

⁴ Subs. by U.P. Act No. 9 of 1994.

⁵ Subs. by U.P. Act No. 9 of 1994.

⁶ Subs. by U.P. Act No. 29 of 1995.

⁷ Ins. by U.P. Act No. 9 of 1994.

⁸ Subs. by U.P. Act No. 37 of 1978.

jurisdiction in respect of civil or criminal cases respectively, in the circle of such Nyaya Panchayat];

- ¹[kk) ‘State Election Commission’ means the State Election Commission referred to Article 243-K of the Constitution;
- ²[kkk) ‘Mukhya Nirvachan Adhikari (Panchayat)’ means an Officer of the State Government appointed, designated or nominated as such by the State Election Commission in consultation with the State Government];
- l) ‘Population’ means the population as ascertained at the last preceding census of which the relevant figures has been published;
- ll) ‘Panchayat Area’ means the territorial area of a Gram Panchayat declared as such under sub-section (1) of Section 11-F];
- m) ³[* * *]
- mm) ‘Public Property’ and ‘Public land’ means any public building, park or garden or other place to which for the time being the public have or are permitted to have access whether on payment or otherwise;
- n) ‘Public Servant’ means public servant as defined in Section 21 of the Indian Penal Code, 1860;
- o) ‘Public Street’ means any road, street, bridge, lane, square, court, alley or passage which the public has right to pass along and includes on either side the drains or gutters and the land up to the defined boundaries of any abutting property, notwithstanding any projection over such land or any verandah or other superstructure but does not include any such road, street, bridge, lane, square, court, alley or passage owned, maintained or repaired by the State Government or any other local authority;
- p) ‘Prescribed’ means prescribed by this Act or rules made thereunder;
- ⁴[q) ‘Prescribed authority’ means –
- i) for the purposes of the provisions of this Act mentioned in Schedule III of the [Uttar Pradesh Kshettra Panchayat and Zila Panchayat Adhiniyam, 1961], the Zila Parishad or the Kshettra Samiti, as may be specified in column 3 of that Schedule; and

¹ Ins. by U.P. Act No. 9 of 1994

² Ins. by U.P. No. 21 of 1995.

³ Clause (m) omitted by U.P. Act No. 37 of 1978.

⁴ Subs. by U.P. Act No. 9 of 1994.

- ii) in respect of any other provisions of this Act, the authority notified as such by the State Government whether generally or for any particular purpose;
- r) [*Omitted by Act II of 1955*];
- s) ‘Civil Suit’ means a civil suit triable by a Nyaya Panchayat;
- ¹[ss) ‘Sub-divisional officer’ includes an Additional Sub-divisional Officer designated or appointed as such by the appropriate authority];
- t) ‘Village’ means any local area, recorded as a village in the revenue records of the district in which it is situate, and includes any area which the State Government may, by general or special order, declare to be a village for the purposes of this Act;
- u) [*Omitted by Act II of 1955*];
- v) [*Omitted by Act II of 1955*];
- w) ²[* * *]
- ³[x) ‘Bhumi Prabandhak Samiti’ means a Bhumi Prabandhak Samiti established or deemed to be established under Section 28-A].

CHAPTER II

Establishment and Constitution of Gram Sabhas

⁴[3. **Gram Sabha** – The State Government shall, by notification in the official *Gazette*, establish a Gram Sabha for a village or group of villages by such name as may be specified;

Provided that where a Gram Sabha is established for a group of villages, the name of the village having the largest population shall be specified as the name of the Gram Sabha.

4. ⁵[* * *]

5. **Membership of Gram Sabha** – ⁶[* * *]

¹ Ins. by U.P. Act No. 19 of 1957 and shall be deemed always to have been inserted.

² Clause (w) omitted by U.P. Act No. 37 of 1978.

³ Ins. by U.P. Act No. 33 of 1961.

⁴ Subs. by U.P. Act No. 9 of 1994.

⁵ Omitted by U.P. Act No. 9 of 1994.

⁶ Omitted by U.P. Act No. 9 of 1994.