

KARNATAKA ACT NO. 24 OF 2010

THE KARNATAKA PANCHAYATH RAJ (AMENDMENT) ACT, 2010

Arrangement of Sections

Sections:

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9. Amendment of section 123
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11. Amendment of section 138
12. Amendment of section 162
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16. Amendment of section 241

STATEMENT OF OBJECTS AND REASONS

Amending Act 24 of 2010.- It is considered necessary to amend the Karnataka Panchayat Raj Act, 1993.

(1) to define “ Panchayat Development Officer” and to provide for powers and functions, thereof.

(2) to notify election results quickly and precisely and to introduce modern technology in the election system of Panchyath Raj Institutions by using electronic voting machines in the elections to Grama Panchayat, Taluk Panchayat and Zilla Panchayat in the State;

(3) to provide fifty percent reservation for women in seat and the offices in all the three tiers of Panchyath Raj Institutions.

Hence the Bill.

(L.C.Bill No.03 of 2010, File No.Samvyashae 03 Shasana 2010)

[Entry 5 of List II of the Seventh Schedule and Article 243D to the Constitution of India.]

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(First published in the Karnataka Gazette Extra-ordinary on the Twenty third day of July, 2010)

THE KARNATAKA PANCHAYATH RAJ (AMENDMENT) ACT, 2010

(Received the assent of the Governor on the Twenty second day of July, 2010)

An Act further to amend the Karnataka Panchayath Raj Act, 1993.

Whereas it is expedient further to amend the Karnataka Panchayath Raj Act, 1993, (Karnataka Act 14 of 1993) for the purposes hereinafter appearing ;

Be it enacted by the Karnataka State Legislative in the Sixty First year of the republic of India as follows ;

1. Short title and commencement.- (1) This Act may be called the Karnataka Panchayath Raj (Amendment) Act, 2010.

(2) It shall come into force at once.

2. Amendment of section 2.- In section 2 of the Karnataka Panchayath Raj Act, 1993 (Karnataka Act 14 of 1993) (hereinafter referred to as the principal Act), after clause (28), the following shall be inserted, namely :-

"(28-A) "Panchayath Development Officer" means the Panchayath Development Officer of the Grama Panchayath;"

3. Amendment of section 5.- In section 5 of the principal Act, in sub-section (4), for the words "one third", the words "fifty percent" shall be substituted.

4. Amendment of section 7.- In section 7 of the Principal Act, after sub-section (2), the following shall be inserted, namely :-

"(3) Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in the Grama Panchayat election by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State Election commission may having regard to the circumstances of each case specify.

Explanation : For the purpose of this section, "Voting Machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made there under shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election."

5. Amendment of section 44.- In section 44 of the principal Act, in sub-section (2), in clause (c), for the words "one third", the words "fifty percent" shall be substituted.

6. Amendment of section 111.- in Section III of the Principal Act, in sub-section (1), for the words "Secretary" the words "Panchayat Development Officer and Secretary" shall be substituted.

7. Amendment of section 112.- In section 112 of the Principal Act, in sub-section (2), for the word "Secretary" the words "Panchayat Development Officer, Secretary and Accounts Assistant" shall be substituted.

8. Amendment of section 113.- In section 113 of the Principal Act, in sub-section (2) and (4), for the word "Secretary" the words "Panchayat Development Officer" shall be substituted.

9. Amendment of section 123.- In section 123 of the principal Act, in sub-section (3), for the words "one third", the words "fifty percent" shall be substituted.

10. Amendment of section 130.- In section 130 of the Principal Act, after sub-section (2), the following shall be inserted, namely :-

"(2A) Notwithstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in taluk panchayath elections by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State election commission may having regard to the circumstances of each case specify.

Explanation : For the purpose of this section, "Voting Machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election".

11. Amendment of section 138.- In section 138 of the Principal Act, in sub-section (2), in clause (c), for the words "one third", the words "fifty percent" shall be substituted.

12. Amendment of section 162.- In section 162 of the principal Act, in sub-section (3), of the words "one third", the words "fifty percent" shall be substituted.

13. Amendment of section 169.- In section 169 of the Principal Act, after sub-section (2), the following shall be inserted, namely:-

"(2A) Not withstanding anything contained in this Act or the rules made thereunder, the giving and recording of votes in zilla panchayath elections by voting machines in such manner as may be prescribed, may be adopted in such constituency or constituencies as the State Election Commission may having regard to the circumstances of each case specify

Explanation: For the purpose of this section "Voting machine" means any machine or apparatus whether operated electronically or otherwise used for giving or recording of votes and any reference to a ballot box or ballot paper in this Act or the rules made there under shall, save as otherwise provided, be construed as including a reference to such voting machine wherever such voting machine is used at any election."

14. Amendment of section 177.- In section 177 of the principal Act, in sub-section (2), in clause (c), for the words "one third", the words "fifty percent" shall be substituted.

15. Amendment of section 200.- In section 200 of the Principal Act, in sub-section(3), for the word "secretary" the words "Panchayat Development Officer" shall be substituted..

16. Amendment of section 241.- In section 241 of the Principal Act, in sub-sections(1) and (5), for the word "secretary" the words "Panchayat Development Officer" shall be substituted

The above translation of ಕರ್ನಾಟಕ ಪಂಚಾಯತ್ ರಾಜ್ (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2010 (2010ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 24) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

H.R.BHARDWAJ

GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

G.K. BOREGOWDA

Secretary to Government
Department of Parliamentary Affairs and Legislation