

## CHAPTER V MISCELLANEOUS

**108. Members and officers to be public servants.-** The members, officers and servants of a Panchayati Raj Institution and a Standing Committee or Sub-Committee thereof shall be deemed to be public servants within the meaning of Sec. 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).

**109. Suits etc., against Panchayat, Panchayat Samiti and Zila Parishad.-** (1) No suit or other civil proceeding against a Panchayati Raj Institution or against any member, officer or servant thereof or against any person acting under the direction of a Panchayati Raj Institution or any member, officer or servant thereof for anything done or purporting to be done under this Act in its or his official capacity-

(a) shall be instituted until the expiration of two months, after notice in writing, stating the cause of action, the name and place of abode of the intending plaintiff and the nature of the relief which he claims, he has been delivered or left at its office or in the case of a member, officer, servant or person as aforesaid delivered to him or left at the office or at his usual place of abode, and he plaint shall in each such case contain a statement that such notice has been so delivered or left, or

(b) shall be instituted, unless it is a suit for the recovery of immovable property or for a declaration of title thereto, otherwise than within six month after <sup>1</sup>[transfer next] the accrual of the alleged cause of action.

(2) The notice referred to in Sub-sec. (1), when it is intended for a Panchayat, Panchayat Samiti or a Zila Parishad, shall be addressed to the Sarpanch, Vikas Adhikari or the Chief Executive Officer respectively.

<sup>1</sup> There is some mistake of printing here in this clause. Hindi text of Clause (b) runs as under may be perused -

**110. Power and duties of police in respect of offences and assistance to the Panchayats.-** Every police officer shall give immediate information to the Panchayat of an offence coming to his knowledge which has been committed against this Act or any rule or bye-law made thereunder and shall assist all Panchas, officers and servants of the Panchayat in the exercise of their lawful authority.

**111. Liability of members as well as of Chairpersons and deputy Chairpersons of Panchayati Raj Institutions.-** (1) Every member of a Panchayati Raj Institution including the Chairperson or deputy Chairperson thereof shall be liable to the Panchayati Raj Institution of which he is such member or, as the case may be, such Chairperson or deputy Chairperson for the loss, waste or mis-application of any money or other property belonging to such direct consequences of his neglect or misconduct while in office as such member or, as the case may be such Chairperson or deputy Chairperson.

(2) Whenever, on a complaint made by a Panchayati Raj Institution or otherwise the competent authority is of opinion that any such member or, as the case may be, such Chairperson or deputy Chairperson has caused or done any loss, waste or mis-application of any money or other property belonging to the Panchayati Raj Institution the competent authority shall give notice to the concerned office-bearer of the allegations against him

and require him to appear on the date and time to be specified in the notice and to file a written statement in reply to the allegations against him.

(3) If on appearance the member or, as the case may be, the Chairperson or the deputy Chairperson admits his liability and its amount, the competent authority shall pass an order for the recovery of the amount of each liability from such member or, as the case may be, such Chairperson or deputy Chairperson.

(4) If the member or, as the case may be, the Chairperson or the deputy Chairperson disputes his liability or its extent, the competent authority or the officer authorized and after recording evidence in support of the allegations and after giving the concerned office-bearer, opportunity to cross-examine the witness and to adduce evidence in defence shall, by order, determine the extent and amount of liability of such office-bearer for such, waste or mis-application of money or property.

(5) Any person aggrieved by an order made by the competent authority under Sub-sec. (4) may appeal therefrom to the State Government within thirty days of the date on which the order is communicated to him. The competent authority and the State Government may, after giving the parties interested an opportunity of being heard, confirm, modify or set aside the order or remit the case to the competent authority for such further enquiry as it thinks fit.

(6) The Panchayati Raj Institution to which such member or, as the case may be, such Chairperson or deputy Chairperson is liable, shall be and shall be deemed to be a party in an enquiry under this section before the competent authority or in an appeal under Sub-sec. (5) before the State Government.

(7) The competent authority or the State Government holding an enquiry or hearing an appeal under this section shall have the powers of a Civil Court under the Code of Civil Procedure, 1908 (Central Act V of 1908) relating to-

- (a) proof of facts by affidavits;
- (b) enforcing attendance of any person and his examination on oath;
- (c) production of documents; and
- (d) issuing of commission.

(8) The amount of any liability ordered to be recovered under Sub-sec. (3) or determined under Sub-sec. (4) shall be recoverable by the Panchayati Raj Institution concerned from such member or, as the case may be, such Chairperson or deputy Chairperson as an arrear of land revenue.

(9) No civil or other revenue Court shall have jurisdiction in respect of any matter which is required to be decided, determined, or dealt with by the competent authority or State Government under this section and no order made by the competent authority or State Government shall be called in question in any court.

**112. Bar to legal representation.-** No party to a civil proceeding before a Panchayati Raj Institution shall be entitled, as of right, to be represented by a legal practitioner.

**113. Validity of Notice.-** No notice issued under this Act shall be invalid on account of any defect or omission in its form.

**114. Entry and Inspection by Panchayats.-** The Sarpanch of a Panchayat and, if authorised in this behalf, any Panch, Officer or servant thereof, may enter into or upon any building or land with or without assistants or workmen, in order to make an inspection or survey or to execute a work which a Panchayat is authorised by this Act or

by rules or bye-laws made thereunder, to make or execute or which it is necessary for a Panchayat for any or the purpose or in pursuance of any of the provisions of this Act or of rules or bye-laws thereunder to made or execute :

(a) except when it is in this Act or in rules or bye-laws thereunder otherwise expressly provided, no such entry shall be made between sunset and sunrise;

(b) except when it is this Act or in rules or bye-laws thereunder otherwise expressly provided, no building which is used as a human dwelling shall be so entered except with the consent of the occupier thereof and without giving the said occupier previous notice of the intention to make such entry;

(c) sufficient notice shall in every instance be given even when any premises can otherwise be entered without notice to enable the inmates of any apartment appropriated for females to move to some such part of the premises where their privacy shall not be disturbed; and

(d) due regard shall always be had to the social and religious usages of the occupants of the premises entered.

**115. Determination of seats after each census.-** Upon the publication of the figures of each census, the number of seats of a Panchayati Raj Institution shall be determined by the State Government on the basis of the population of the area of the Panchayati Raj Institution concerned as ascertained at that census :

Provided that the determination of the number as aforesaid shall not affect the then composition of the Panchayati Raj Institution concerned until the expiry of the term of office elected members then in office.

**116. Requisitioning of vehicles etc., for purpose of general elections.-** (1) If it appears to the Collector that in connection with general elections to be held under this Act, any vehicle, vessel or animal is needed or is likely to be needed for the purpose of transport of ballot boxes force to or from any polling station, or transport of members of the police force for maintaining order during the conduct of such election, or transport of any officer or other person for performance of any duties in connection with any such election, the Collector may by order in writing requisition such vehicle, vessel or animal, as the case may be, and may make such further orders as may appear to him to be necessary or expedient in connection with the requisitioning :

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose in connection with the election of such candidate shall be requisitioned under this Sub-section until the completion of the poll at such election.

(2) The requisition shall be effected by an order in writing addressed to the person deemed by the Collector to be the owner or person deemed by the Collector to be the owner or person in possession of the vehicle, vessel or animal and such order shall be served in the prescribed manner on the person to whom it is addressed.

(3) Whenever any vehicle, vessel or animal is requisitioned under Sub-sec. (1), the period of such requisition shall not extend beyond the period for which the same is required for any of the purpose mentioned in that Sub-section.

(4) Whenever the Collector requisitions any vehicle, vessel or animal, there shall be paid to the owner thereof, out of the Consolidated Fund of the State, compensation the amount of which shall be determined by the Collector on the basis of the fares or rates prevailing on the locality for the hire of such vehicle, vessel or animal :

Provided that where the owner of such vehicle, vessel or animal being aggrieved by the amount of compensation so determined, makes an application within the prescribed time to the State Government, the amount of compensation to be paid shall be such as the State Government may determine.

(5) Where, immediately before the requisition, the vehicle or vessel is, by virtue of a hire purchase agreement, in the possession of a person other than the owner, the amount determined under Sub-sec. (4), as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such manner as they may agree upon and, in default of agreement, in such manner, as the Collector or the State Government may decide.

(6) The Collector, may with a view to requisitioned any vehicle, vessel or animal or determining the amount of compensation payable under this section, by order, require any person to furnish to such officer or authority as may be specified in the order, such information in his possession relating to such vehicle, vessel or animal as may be so specified.

(7) Any person authorised in this behalf by the Collector may enter into or upon any land or premises and inspect any vehicle, vessel or animal therein for the purpose of determining whether and if so in what manner, an order under Sub-sec. (1) should be made in relation to such vehicle, vessel or animal, or with a view to securing compliance with any order made under this section.

(8) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

**117. Bar to interference by Courts in certain matters.-** Notwithstanding anything contained in this Act-

(a) the validity of any law relating to the delimitation of constituencies or wards made or purporting to be made under this Act, shall not be called in question in any Court, and

(b) no election to any Panchayati Raj Institution shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under this Act.

<sup>1</sup>[**117-A. Jurisdiction of Civil Courts barred.-** No Civil Court shall have jurisdiction-

(a) to entertain or adjudicate upon any question whether any person is or is not entitled to be registered in an electoral roll for a constituency; or

(b) to question the legality of any action taken by or under the authority of an electoral registration officer, or any decision given by any authority appointed under this Act for the revision of such roll; or

(c) to question the legality of any action taken or of any decision given by the returning officer or by any other person appointed under this Act in connection with an election.]

**118. Finance Commission.-** (1) The Finance Commission, hereinafter in this section referred to as the "Commission", shall consist of the following members to be selected in such manner as may be prescribed -

(a) A Chairperson from amongst persons who have had experience in public affairs; and

(b) Such number of other members not exceeding four as the State Government may determine from time to time from amongst persons who-

(i) have special knowledge of the finance and accounts of the Government; or

(ii) have had wide experience in financial matters and in administration; or

(iii) have special knowledge of functioning of the Panchayati Raj Institutions and Municipal Bodies; or

(iv) have been closely associated with preparation and / or implementation of rural and urban development programmers.

(2) A person shall be disqualified for being appointed as, or for being a member of the Commission-

(a) if he is of unsound mind;

<sup>1</sup> Inserted by Sec. 5 of the Rajasthan Panchayati Raj (Amendment) Act, 1995 (Act No. 7 of 1995) published in Rajasthan Gazette, E.O., Part-IV (A) dated 24-4-1995 (w.e.f. 25-5-1994).

(b) if he is an un-discharged insolvent;

(c) if he has been convicted of an offence involving moral turpitude;

(d) if he has such financial or other interest as is likely to effect prejudicially his functions as a member of the Commission.

(3) The term of office and eligibility for re-appointment shall be as follows :-

(i) every member of the Commission shall hold office for such period as may be specified in the order of the Government appointing him, but shall be eligible for re-appointment,

(ii) a member of the Commission may resign his office by a letter written under his hand and addressed to the Government, but he shall continue in office until his resignation is accepted by the Government; and

(iii) the casual vacancy caused by the resignation of a member under Clause (ii) or for any other reason may be filled in by fresh appointment and a member so appointed shall hold office only for the remainder of period for which the member in whose place he is appointed would have held office.

(4) The member of the Commission shall render whole-time or part-time service to the Commission as the Government may in each case specify and there shall be paid to them such fees or salaries and such allowances as the Government may, by rules made in this behalf, prescribe.

(5) The Commission shall determine their procedure and in the performance of their functions shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 (Act V of 1908) while trying a suit in respect of the following matters namely:-

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the discovery and production of any document;

(c) requisitioning any public record from any Court or office;

(d) receiving evidence on affidavits.

(e) issuing commissions for the examination of witnesses and documents; and

(f) any other matter which may be prescribe.

(6) The Commission shall have power to require any person to furnish information on such points or matters as in the opinion of the Commission may be useful for, or relevant to, any matter under the consideration of the Commission and any person so required shall, notwithstanding anything contained in any law for the time being in force, be deemed to be legally bound to furnish such information within the meaning of Sec. 176 of the Indian Penal Code.

(7) The Commission shall be deemed to be a Civil Court of the purposes of Secs. 345 and 346 of the Code of Criminal Procedure, 1973 (Act 2 of 1974).

(8) The Government shall provide the Commission with such officers and employees as may be necessary for the performance of the functions of the Commission.

(9) The salaries and allowances payable to and the other terms and conditions of service of the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribe.

**119. Officers and Staff of State Election Commission.-** (1) There shall be a Chief Electoral Officer who shall be such officer of the State Government as the State Election Commission may, in consultation with the Government, designate or nominate in this behalf.

(2) Subject to the superintendence, direction and control of the State Election Commission, the Chief Executive Officer shall-

(a) supervise the preparation, revision and correction of all electoral rolls in the State under this Act;

(b) Supervise the conduct of all elections under this Act; and

(c) exercise such other powers and functions as the State Election Commission may direct.

(3) For each district in the State, the State Election Commission shall in consultation with the Government, designate or nominate an officer of the Government as a District Election Officer:

Provided that the State Election Commission may designate or nominate more than one such officer for a district if the Commission is satisfied that the functions of the office can not be performed satisfactorily by on e officer.

(4) Where more than one District Election Officer are designated or nominated for a district, the Commission shall in the order designating or nominating the District Election Officer also specify the area in respect of which each such officer shall exercise jurisdiction.

(5) The electoral roll for each constituency shall, subject to the control of the District Election Officer, be prepared, revised, modified, updated and published by the Government or a local authority as the State Election Commission may, in consultation with the Government, designate or nominate in this behalf.

(6) The State Election Commission may appoint one or more persons as Assistant Electoral Registration Officers to assist the Electoral Registration Officer in the performance of his function.

(7) The Government shall, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by or under this Act or any other law for the time being in force.

**<sup>1</sup>[119-A. Staff of local authorities etc., to be made available.-** (1) Every local authority in the State shall, when so requested by the Chief Electoral Officer or the District Election Officer (Panchayats), make available to any Electoral Registration Officer such staff as may be necessary for the performance of any duties in connection with preparation and revision of electoral rolls.

(2) The authorities specified in Sub-sec. (3) shall, when so requested by the Chief Electoral Officer or the District Election Officer (Panchayats), make available to any Returning Officer such staff as may be necessary, for the performance of any duties in

connection with an election.

(3) The Following shall be the authorities for the purposes of Sub-sec. (2), namely:-

(i) every local authority;

(ii) any other body corporate or public undertaking which is established by the State Government by or under a State Act or a Central Act or which is established otherwise but controlled, aided or financed wholly or substantially by the State Government.]

<sup>2</sup>[**119-B. Officers and Staff deemed to be on deputation to State Election Commission.-** The Officers or staff employed in connection with the preparation, revision and correction of the electoral rolls for, and the conduct of, all elections, under this Act shall be deemed to be on deputation to the State Election Commission for the period during which they are so employed and such officers and staff shall, during that period be, subject to the control and superintendence of the State Election Commission.]

<sup>1</sup> Inserted by Notification No. F4 (2)/Vidhi/2/ 2000 dated 22-1-2000 (Ordinance No. 3 of 2000) published in Rajasthan Government Gazette Extraordinary Part 4 (Kha) Dated 22-1-2000 with immediate effect. (= S. 55 of the Raj. Act No. 9 of 2000).

<sup>2</sup> Inserted by Section 6 of Rajasthan Act No. 7 of 1995.

<sup>1</sup>[**119-C. Penalty for staff.-** (1) Whether a member of staff having deputed for performing duties in connection with elections or in connection with preparation, revision and correction of electoral rolls under this Act, does not report for duty or having reported for such duty, does not perform duties assigned to him, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to Rupees Five thousand, or with both.

(2) An offence punishable under Sub-sec. (1) shall be cognizable.]

**120. Delegation of Functions of Election Commission.-** The functions of the State Election Commission under this Act or the rules or orders issued thereunder, subject to such general or special directions, if any, as may be given by the State Election Commission in this behalf, the performed also by a Deputy Election Commissioner, if any, or by the Secretary to the State Election Commission.

**121. Committee for District Planning.-** (1) The Government shall constitute in every district a District Planning Committee, hereinafter in this section, referred to as "the Committee " to consolidate the plans prepared by the Panchayati Raj Institutions and the Municipalities in the district and to prepare a draft development plan for the district as a whole.

(2)The Committee shall consist of such number as may be the Government from time to time by notification in the Official Gazettee and in so fixing the total number of members of the committee, the Government shall specify the number respectively of the nominated members and elected members:

<sup>1</sup> Inserted by Notification No. F4 (2)/Vidhi/2/ 2000 dated 22-1-2000 (Ordinance No. 3 of 2000) published in Rajasthan Government Gazette Extraordinary Part 4 (Kha) Dated 22-1-2000 with immediate effect. (= S. 56 of the Raj. Act No. 9 of 2000).

Provided that not less than four-fifth of the total number of members of such committee shall be elected by, and from amongst, the elected members of the Zila Parishad and the

Municipalities in the district in proportion to the ratio between the population of the rural area and of the urban in the district.

(3) The elected members shall be chosen in such manner as may be prescribed.

(4) The nominated members may consist of :-

(a) persons representing the State Government;

(b) members of the House of the People or of the Rajasthan Legislative Assembly who represent a constituency comprising the whole or part of the district.

(c) members of the council of States who are registered as electors in the district, and

(d) members representing such organisations and institutions as may be deemed necessary by the Government.

(5) The committee shall have-

(a) such functions relating to district planning as may be assigned to it by the Government; and

(b) such powers as may be conferred on it by the Government .

(6) The Chairperson of such Committee shall be the Pramukh of the Zila Parishad concerned.

(7) Every Committee shall be, in preparing the draft development plan,-

(a) have regard to-

(i) matters of common interest between the Panchayati Raj Institution and the Municipalities including spatial planning, sharing of water and other physical and natural resources, the integrated development of the infrastructure and environmental conservation , and

(ii) the extent and type of available resources whether financial or otherwise , and

(b) consult such institutions and organisations as the Government may be order, specify.

(8) The Chairman of every Committee shall forward the development plan, as recommended by such committee to the Government.

Explanation – For the purpose of this section, the term "Municipality" shall have the meaning assigned to it by the Rajasthan Municipalities Act, 1959.

**122. Annual Administration Report.**- (1) As soon as may be, after the first day of April in every year and not later than such date as may be fixed by the Government, the Sarpanch,

Vikas Adhikari and Chief Executive Officer, shall, place before the Panchayat, Panchayat Samiti or, as the case may be, Zila Parishad, a report on the administration of the Panchayat, Panchayat Samiti or, as the case may be, Zila Parishad during the preceding financial year in such form and with such details as the Government may direct and shall forward the report with resolution of the respective Panchayati Raj Institutions to the prescribed authority for onward transmission to the State Government.

(2) The report submitted to the Government under Sub-sec.(1) shall, together with a memorandum by the Government reviewing the working of the Panchayati Raj Institution concerned, be laid before the House of the State Legislature.

**123. Removal of difficulties.**-(1) If any difficulty arises in given effect to, enforcing or carrying out the provisions of this Act, the State Government may, by order published in the Official Gazettee give such directions and do such things which appear to it to be necessary for the removal of such difficulty:

Provided that no such order shall be made after the expiration of three years from the



commencement of this Act.

(2) Every order made under Sub-sec. (1) shall be laid before the House of the Rajasthan Legislative Assembly.

**124. Repeal and savings.**-<sup>1</sup>[(1)] On the date of commencement of this Act, hereinafter in this section referred to as "the date of commencement", the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and the Rajasthan Panchayat Samitis and Zila Parishads Act, 1959 (Rajasthan Act 37 of 1959) shall stand repealed and the following consequences shall ensue, that is to say-

(a) all property, movable and immovable, and all interests of whatsoever kind therein, which vested in an existing Panchayati Raj Institution, immediately before the date of commencement, shall be deemed to be transferred to, and shall vest in the successor Panchayati Raj Institution, subject to all limitations, conditions and rights or interests of any person, body or authority in force or subsisting immediately before the date of commencement ;

(b) all rights, liabilities and obligations of an existing Panchayati Raj Institution, (including those arising under any agreement or contract) shall be deemed to be the rights, liabilities and obligations of the successor Panchayati Raj Institution.

(c) all functions of the existing Panchayati Raj Institutions, whether under the Acts repealed as aforesaid or under any other law for the time being in force, shall be deemed to have transferred to the successor Panchayati Raj Institutions under this Act;

(d) all sums due to an existing Panchayati Raj Institution , whether on account of any tax or otherwise, shall be recoverable by the successor Panchayati Raj Institution and for the purposes of such recovery the successor Panchayati Raj Institution shall be competent to take any measure of institute any proceedings which it would have been open to an existing Panchayati Raj Institution or any authority thereof to take or institute before the date of commencement ;

<sup>1</sup> Numbered by Sec. 10 of the Rajasthan Panchayati Raj (Amendment) Act, 1994 (Act. No. 23 of 1994) published in Raj. Gazette, E.O., Part IV (A) dated 06.10.1994, (w.e.f. 26.07.1994).

(e) the unexpended balance in the funds of the existing Panchayati Raj Institutions and all sums due to such Institutions and such sums of any other body or bodies as the State Government may direct shall form part of, and be paid into, the funds of the corresponding successor Panchayati Raj Institution;

(f) all contracts made with, and all instruments executed by or on behalf of an existing Panchayati Raj Institution shall be deemed to have been made with, or executed by or on behalf of the successor Panchayati Raj Institution, and shall have effect accordingly;

(g) all proceedings and matters pending before an existing Panchayati Raj Institution or any authority of an existing Panchayati Raj Institution under the repealed Acts immediately before the commencement shall be deemed to have been instituted and to have been pending before the successor Panchayati Raj Institution or such authority as the successor Panchayati Raj Institution may direct;

(h) in all suits and legal proceedings pending on the date of commencement in or to which an existing Panchayati Raj Institution, is a party, the successor Panchayati Raj Institution, shall be deemed to be substituted therefor:

(i) any appointment, notification, tax, fee, order, scheme, license permission, rule bye-

law, regulation or form made, issued, imposed or granted in respect of any existing Panchayati Raj Institution or the local area thereof under the repealed Acts, and in force immediately before the date of commencement, shall, in so far as it is not inconsistent with the provisions of this Act, continue to be in force as if made, issued, imposed or granted under this Act in respect of the successor Panchayati Raj Institution or the corresponding local area thereof until suspended or modified by any appointment, notification, notice, tax, fee, order, scheme, license, permission, rule, bye-law, regulation or form made, issued, imposed or granted under this act.

(j) all budget estimates, assessments, assessment lists, valuations of measurements made or authenticated by or in respect of an existing Panchayati Raj Institution under the repealed Acts and in force immediately before the date of commencement shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to have been made or authenticated by the successor Panchayati Raj Institution;

(k) all officers and servants in the employment of an existing Panchayati Raj Institution immediately before the date of commencement, shall, subject to the provisions of this Act, be deemed to be transferred to the service of the successor Panchayati Raj Institution; and

(l) any reference in any law or in any instrument to any provision of the repealed Acts, or any authority constituted, elected or appointed thereunder shall, unless a different intention appears, be construed as a reference to the corresponding provision of this Act, or as the case may be, to the corresponding authority constituted, elected or appointed under this Act.

**Explanation.-** For the purposes of this section-

(a) "an existing Panchayati Raj Institution" means a Panchayat, Panchayat Samiti or a Zila Parishad existing immediately before the date of commencement and, where any such Panchayati Raj Institution has been superseded or dissolved or the term thereof has expired, includes the person or persons appointed to exercise the powers or to perform the functions of such; Panchayati Raj Institution; and

(b) "the successor Panchayati Raj Institution" means a Panchayat, a Panchayat Samiti or a Zila Parishad constituted under this Act for such local area as corresponds to the respective local area of the existing Panchayat, Panchayat Samiti or Zila Parishad.

<sup>1</sup>[(2) On the date of commencement of the Rajasthan Panchayati Raj (Amendment) Act, 1994 (Act No. 23 of 1994), Sec. 43 of the Rajasthan Gramdan Act, 1971 (Act, No.12of 1971), shall stand deleted, and as a result of such deletion, consequences enumerated in Clauses (a) to (1) of sub-sec. (1) shall ensue as if the Gram Sabha of a Gramdan Village referred to in the aforesaid deleted section was in existing Panchayati Raj Institution.]

<sup>1</sup> Added by Sec. 10 of the Rajasthan Panchayati Raj (Amendment) Act, 1994 (Act No. 23 of 1994) published in Rajasthan Gazette, Extra-ordinary, Part IV (A) dated 06.10.1994, as Sub-sec. (2) after exiting Sec. 124 numbered as Sub-sec. (1) (w.e.f. 26.07.1994).