

# CHAPTER I

## Preliminary

### Act

**1. Short title, extent and commencement.-** (1) This Act may be called 'the Rajasthan Panchayati Raj Act, 1994'.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force on such date<sup>1</sup> as the State Government may, by notification in the Official Gazette, appoint.

**2. Definition.-** (1) In this Act, unless the context otherwise requires-

(i) "Backward Classes" means such backward classes of citizens, other than the Scheduled Castes and the Scheduled Tribes, as may be specified by the State Government from time to time for the purpose of this Act;

(ii) "Block" and "Panchayat Circle" shall respectively mean the local area over which a Panchayat Samiti, or, as the case may be, a Panchayat exercise its jurisdiction;

(iii) "Chairman" means Chairperson of a Standing Committee of a <sup>2</sup>[Zila Parishad, a Panchayat Samiti or a Panchayat] constituted under this Act;

(iv) "Chairperson" and Deputy Chairperson" shall respectively mean the Sarpanch and Up-Sarpanch in the case of a Panchayat, the Pradhan and Up-Pradhan in the case of a Panchayat Samiti and the Pramukh and Up-Pramukh in the case of a Zila Parishad;

(v) "Commissioner" means the Divisional Commissioner or such other officer as may be appointed by the State Government to exercise the powers of a Commissioner under the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956);

<sup>1</sup> Came into force with effect from dated 23-4-1994 vide Rural Development & Panchayati Raj Departments Notification No. F.4(1) RDP/Law/93/1468 dt. 23-4-1994, published in Rajasthan Gazette, E.O., Part VI-C dated 23-4-1994

<sup>2</sup> Substituted and shall always be deemed to have been substituted w.e.f. 26.7.1994 by section 2 of Rajasthan Act. No. 23 of 1994, published in Rajasthan Gazette, Part IV-A Extraordinary dated 6.10.1994.

(vi) "Collector" means Collector of a District and includes Additional Collector;

(vii) "Competent Authority" means such officer authority as the State Government may, by notification in the official Gazette, appoint to perform such functions and exercise such powers of a Competent Authority with respect to such provisions of the Act and in relation to such Panchayati Raj Institutions as are specified in the notification;

(viii) "Constituency" includes a ward;

<sup>2</sup>[(ix) <sup>1</sup>[Director, Panchayati Raj Raj]] means the Officer appointed as such by the State Government;]

<sup>3</sup>[(ix a) "Director, Elementary Education" means the Officer appointed as such by the State Government; and]

(x) "District" means a District constituted under the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956);

(xi) "Finance Commission" means the commission constituted under Art. 243-I of the Constitution of India;

(xii) "Government" or "State Government" means the State Government of Rajasthan;

(xiii) "Member" means a member of a Panchayati Raj Institution and includes a Sarpanch;

(xiv) "Officer-in-charge of Panchayat" means the person or officer appointed by the State

Government under Sec. 99 to be the officer-in-charge of Panchayats and includes an officer subordinate to him appointed under that section;

(xv) "Panch" means a member of a Panchayat, other than a Sarpanch;

(xvi) "Panchayat Area" or "Panchayat Circle" means the territorial area of a Panchayat;

<sup>2</sup> Substituted by Section 2 of Rajasthan Panchayati Raj (Amendment) Act, 1994 (Act No. 23 of 1994) published in Rajasthan Gazette, Extra Ordinary, Part-IV-A, dt 6-10-1994 (w.e.f. 26-7-1994)

<sup>1</sup> Substituted by Notification No. F.4(1)/Vidhi/ 2/2000 dated 6-1-2000 (Ordinance No. 2 of 2000) published in Rajasthan Government Gazette Extraordinary Part 4 (Kha) Dated 6-1-2000 with immediate effect. (= S.2 of the Rajasthan Act No. 9 of 2000)

<sup>3</sup> Inserted by section 2 (iii) 1 of Rajasthan Act No. 9 of 2000 published Rajasthan Gazette, Part-IV, Extraordinary dated 3.5.2000.

(xvii) "Panchayati Raj Institution" means an institution of self-Government established under this Act for rural areas, whether at the level of a village or of a block or district;

(xviii) "Population", when used with reference to a local area, means the population of such local area as ascertained at the last preceding census of which the relevant figures have been published;

(xix) "Prescribed" means prescribed by or under this Act;

(xx) "Public Land" or "Common Land" means land which is not in exclusive possession and use of any individual but is used by the inhabitants of a local area commonly;

(xxi) "Standing Committee" means a Standing Committee constituted by a <sup>1</sup>[Zila Parishad, a Panchayat Samiti or a Panchayat] under this Act;

(xxii) "State Election Commission" means the Commissioner referred to in Art. 243-K of the Constitution of India; and

(xxiii) "Village" means a village specified by the Governor by public notification to be a village for the purpose of this Act and includes a group of villages so specified.

(2) Words and expressions used but not defined in this Act but defined in the Rajasthan Municipalities Act, 1959 shall have the meanings assigned to them in the later.

<sup>1</sup> Substituted and shall be deemed to have been substituted with effect on and from 6.1.2000 by sections 2 (iv) and 1 of Rajasthan Act No. 9 of 2000, published in Rajasthan Gazette, Part- IV-A, Extraordinary, dated 3.5.2000.