ANNEXURE-A

Punjab Act No 2005

An Act to provide for the constitution of the District Planning Committees with a view to consolidate the plans prepared by the Panchayats and the Municipalities in the districts and to prepare the draft development plans for the districts as a whole in the State and for the matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Punjab in the Fifty-sixth Year of the Republic of India.

Short title and Commencement

1.(I)This Act may be called the Punjab District Planning Committees Act, 2005.

(2) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires-

(a) "Chairperson"means the Chairperson of the Commiittee Chosen under sub-section (3) of section 3;

(b) "Committee" means the District Planning Committee Constituted under sub-section (1) of section 3;

(c) "district" means a revenue district in the State;

(d) "member" means a member of the Committee and includes its Chairperson;

(e) "Municipality" shall have the same meaning as assigned to it under clause (e) of Article 243-P of the Constitution of India;

(f) "Panchayat" shall have the same meaning as assigned to it under clause (f) of Article 243-P of the Constitution of India;

(g) "population"means the population as ascertained at the last preceding census of which the relevant figures have been published;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "section" means section of this Act;

(j) "State" means the State of Punjab; and

(k) "State Government" means the Government of the State of Punjab

Constitution of District Planning Committee.

3. (1) There shall be constituted a Committee to be called the District Planning Committee by the State Government for every district in the State to consolidate the plans prepared by the Panchayats and the Municipalities in the district and to prepare a draft development plan for the district as a whole.

(2) The number of members of a District Planning Committee constituted under sub-section (1), shall be calculated as per population of the district concerned according to the following criteria, namely:-

Term of members of the Committee

a) District having population, Not exceeding ten lacs; — Fifteen members

b) Districts having population members exceeding ten lacs, but not exceeding twenty lacs; — Twenty four

c) Districts having population exceeding twenty lacs. — Forty Members

(3) The Chairperson of the Committee shall be chosen from amongst the members of the Committee by the State Government by nomination.

(4) The seats of the members of the Committee shall be filled by election, from amongst the elected members of the Panchayat at the district level and of the Municipalities in the district, and by nomination.

(5) Not less than four-fifths of the total number of members of the Committee shall be elected by, and from amongst the elected members of the Panchayat at the district level and of the Municipalities in the district in proportion to the ratio between the population of the rural areas and of the urban areas in the district.

(6) One- fifth of the total number of members of the Committee, which may include the Members of the Legislative Assembly and other persons also, shall be nominated by the State Government.

(7) The Deputy Commissioner of the district shall be the ex-officio Secretary of the Committee.

(8) The Additional Deputy Commissioner (Development) of the district shall be the ex-officio Additional Secretary of the committee.

(9) The Deputy Economic & Statistical Adviser of the District shall be the ex-officio Joint Secretary of the committee.

4 (1) The term of a elected member of Committee shall be co-terminus with the term of the Panchayat at the district level or a Municipality, as the case may be , of which he is a member.

(2) The term of nominated member including the Chairperson, shall be one year. However, a nominated member shall be eligible for re- nomination after the expiry of his first term.

(3) Any member of the Committee including the Chariperson, may resign at any time from his office before his tenure.

5. (1) Subject to the provisions of this Act, the Committee shall exercise powers and perform the functions as mentioned below:- Functions of the Committee

a) to prepare the district draft development plan keeping in view the matters of common interest between urban and rural population including spatial planning sharing of water and other physical and natural resources, the integrated development of infrastructure and environment conservation, the plans prepared at the grass-root level by the concerned Panchayat and the extent and type of available resources whether financial or otherwise;

b) to prepare priority-wise list of schemes and programmes taking into account the resources available with the Committee and the resources provided by the State Government.

c) to take appropriate measures for proper implementation of the development schemes, programmes and projects;

d) to monitor the progress of projects;

e) to encourage the Panchayats and the Municipalities to take up expedite the implementation of development projects

f) to make efforts to generate additional resources for development works with the cooperation of people; Non-Government Organizations and Non-Resident Indians and other agencies; and

g) to perform such other additional functions relating to District Planning and Coordination and monitoring of the activities of different departments of the State Government, as may be assigned to the Committee by the State Government.

(2) While preparing the draft development plan, the Committee may consult such institutions and organisation, as may be specified by the State Government from time to time.

(3) The Chairperson shall forward the district development plans prepared by the Committee under clause (a) of sub-section (1) to the State Government.

Abolition of DP & DB.

6. With effect from the date, the Committees are constituted under this Act, the existing District Planning and Development Boards in the State shall cease to function.

Meetings

7. (1) In the transaction of its business, the Committee shall follow such procedure, as may be prescribed.

(2) If on account of any reason, the Chairperson is unable to attend the meeting of the Committee, any other member, chosen by the present members, shall preside over the meeting

(3) The meeting of the Committee shall be held at the District Head Quarters or at such place, as may be decided by the Committee.

Removal and suspension of members including Chairperson

8. The State Government may remove the Chairperson or any member from his office, if:-

a) he has been adjudged insolvent; or

b) he has been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or

c) he has become physically or mentally, incapable; or

d) he has acquired such financial or other interest, as is likely to affect Prejudicially his functions in any of the said capacities; or

e) he has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) Before removing any member including the Chairperson from his office, a reasonable opportunity of being heard shall be given to him by the state Government.

Filling of vacancies

9. If any vacancy occurs, it shall be filled up from the same source from which it has occurred.

Power to issue directions

10. The State Government may, from time to time, issue such directions to the Committees, as it may consider appropriate in public interest.

Power to make rules

11. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act, shall be laid, as soon as may be, after it is made, before the House of the state Legislature, while it is in session, for a total period of ten days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive as aforesaid, the House agrees in making any modification in the rule or the house agrees, that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Power to remove difficulties

12. (1) If any difficulty arises in giving effect to any of the provisions of this Act, the State Government may, by an order published in the Official Gazette, make such provisions not inconsistent with the provisions of this act, as may appear to it to be necessary for removing the difficulty.

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of the commencement of this act.

(2) Every order made under this section, shall be laid, as soon as may be, after it is made, before the Punjab Legislative Assembly.

The Punjab DPCs Bill,2005 was passed by the Punjab Vidhan Sabha on 14/10/2005.

Chandigarh dated 28th Oct.,2005.

Sd/-
Speaker

I assent to this Bill.

Chandigarh dated 22nd Nov.,2005

Sd/-
Governor of Punjab