

The West Bengal Panchayat (Second Amendment) Act, 2006.
(Sections 7-9.)

Insertion of new section 35A.

7. In the principal Act, after section 35, the following section shall be inserted:—

“Engagement of tax collectors and other contractual workers by *Gram Panchayat*.”

* 35A. (1) A *Garm Panchayat* may, engage tax collectors in such manner, as may be determined, by order, by the State Government for a specified period or for a specified job on the basis of contract and instrument of such contract shall include that such tax collectors shall receive, for his service, commission and a consolidated allowance at such rate as the State Government may, by order, determine.

(2) The State Government may, by order, empower *Gram Panchayat* to engage other contractual workers for a specified period, in such manner, and on such terms and conditions, as may be prescribed for implementation of schemes under the National Rural Employment Guarantee Act, 2005.

(3) Tax collectors and other contractual workers engaged under sub-section (1) and sub-section (2) respectively shall act in all matters under the control of *Pradhan* through whom they shall be responsible to the *Gram Panchayat*.”

Substitution of new section for section 36.

8. For section 36 of the principal Act, the following section shall be substituted:—

“Control and punishment of staff of *Gram Panchayat*.”

36. (1) Subject to such rules as may be made by the State Government in regard to the discipline and control, the *Pradhan* shall exercise general control over all employees of *Gram Panchayat* and *Gram Panchayat* may recommend, in such manner as may be prescribed punishment of an employee, appointed under sub-section (1) and sub-section (2) of section 35, to the Executive Officer of the *Panchayat Samiti* having jurisdiction.

(2) On receipt of recommendation, the Executive Officer of the *Panchayat Samiti* having jurisdiction may —

- (a) award any punishment to a *Gram Panchayat Karmee* appointed under sub-section (1) of section 35 in such manner as may be prescribed ;
- (b) (i) award any punishment other than punishment of dismissal, removal or reduction in rank to an employee appointed under sub-section (2) of section 35 in such manner as may be prescribed ; or
- (ii) recommend for punishment of dismissal, removal or reduction in rank of an employee appointed under sub-section (2) of section 35 to the Executive Officer of *Zilla Parishad* in such manner as may be prescribed.

(3) On receipt of recommendation under sub-clause (ii) of clause (b) of sub-section (2), the Executive Officer of *Zilla Parishad* having jurisdiction may award punishment to an employee appointed under sub-section (2) of section 35 in such manner as may be prescribed.”

Substitution of new section for section 36A.

9. For section 36A of the principal Act, the following section shall be substituted :—

“Appeal.

36A. (1) An appeal shall lie to the *Panchayat Samiti* against an order of punishment awarded by the Executive Officer of *Panchayat Samiti* under clause (a) of sub-section (2) of section 36 within one month from the date of that order.

(2) An appeal shall lie to the Executive Officer of *Zilla Parishad* against an order of punishment awarded by the Executive Officer of *Panchayat Samiti* under sub-clause (i) of clause (b) of sub-section (2) of section 36 within one month from the date of that order.

(3) An appeal shall lie to the Divisional Commissioner against an order of punishment awarded by the Executive Officer of *Zilla Parishad* under sub-section (3) of section 36 within one month from the date of that order.”