



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT::: LEGISLATIVE BRANCH

NOTIFICATION

The 19th October, 2020

No. LGL.57/2020/7.— The following Act of the Assam Legislative Assembly which received the assent of the Governor on 12th October, 2020 is hereby published for general information.

ASSAM ACT NO. XXV OF 2020

(Received the assent of the Governor on 12th October, 2020)

THE KAMATAPUR AUTONOMOUS COUNCIL ACT, 2020

AN ACT

to provide for the establishment of an administrative authority in the name and style of the Kamatapur Autonomous Council and for matters incidental thereto and connected therewith.

Preamble

Whereas it is expedient to provide for the establishment of a Kamatapur Autonomous Council within the State of Assam within the framework of the Constitution of India, comprising of Koch Rajbongshi Community dominated villages of Goalpara, Dhubri, Bongaigaon and South Salmara District excluding the Bodoland Territorial Council and Rabha Hasong Autonomous Council areas for social, economic, educational, ethnic and cultural advancement of the Koch Rajbongshi Community residing therein:

It is hereby enacted in the Seventy- first Year of the Republic of India, as follows:-

CHAPTER - I PRELIMINARY

Short title, extent and commencement

1. (1) This Act may be called the Kamatapur Autonomous Council Act, 2020.
- (2) It extends to the Koch Rajbongshi community dominated villages of the districts of Goalpara, Dhubri, Bongaigaon and South Salmara District excluding the Bodoland Territorial Council and Rabha Hasong Autonomous Council areas.
- (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette appoint and different dates may be appointed for different provisions of this Act or different areas.

Definition

2. In this Act, unless the context otherwise requires,-
 - (a) "bye-laws" means the bye-law framed by the General Council;
 - (b) "Constitution" means the Constitution of India;
 - (c) "Constituency" means the constituency referred to in section 30;
 - (d) "Council Area" means the Kamatapur Autonomous Council Area;
 - (e) "Executive Council" means the executive body of the General Council of the Kamatapur Autonomous Council Constituted under section 5 (3);
 - (f) "Elector" in relation to a constituency means a person whose name is entered in the electoral roll of that constituency;
 - (g) "General Council Fund" means the fund constituted under section 43;
 - (h) "Government" means the State Government of Assam;

- (i) "Governor" means the Governor of Assam;
- (j) "General Council" means the General Council of the Kamatapur Autonomous Council referred to in section 3;
- (k) "Member" means a member of the General Council or the Executive Council, as the case may be;
- (l) "Notification" means the notification issued under this Act;
- (m) "Official Gazette" means the Official Gazette of Assam;
- (n) "Prescribed" means prescribed by rules made under this Act;
- (o) "Council Areas" means the area or areas consisting of villages with 50% or more population therein belonging to Koch Rajbongshi Community notified by the State Government as Council area under this Act;
- (p) "Village" means a census village or not falling within any notified urban or town area, predominantly inhabited by Koch Rajbongshi Community comprising 50% and above and notified as village under this Act;
- (q) "Commission" means the Assam State Election Commission.

**Kamatapur
Autonomous
Council**

3. (1) There shall be an Autonomous Council to be called the Kamatapur Autonomous Council within the State of Assam comprising of the Koch Rajbongshi community dominated areas of the villages of Goalpara, Dhubri, Bongaigaon and South Salmara District excluding the Bodoland Territorial Council and Rabha Hasong Autonomous Council areas as may be notified by the Government in the Official Gazette.
- (2) The Kamatapur Autonomous Council shall have a General Council and an Executive Council as provided hereinafter.

**CHAPTER -II
THE GENERAL COUNCIL**

**Incorporation of
the General
Council**

4. The General Council shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property and to contract and shall sue or be sued by its corporate name.

**Constitution of
the General
Council**

5. (1) The General Council shall consist of 30 (thirty) members out of which 26 (twenty-six) shall be directly elected and 4 (four) shall be nominated by the Government of Assam with the concurrence of the Kamatapur Autonomous Council from amongst the group of communities residing in the Council area and not otherwise represented in it. Out of 26 seats, 20 shall be reserved for Koch Rajbongshi community, 5 seats shall be reserved for women and 1 for General category.
- (2) Every member of the General Council shall be entitled to such allowances as may be fixed by the General Council and approved by the Government.
- (3) The elected members of the General Council shall, at the first meeting to be convened by an officer authorized by the

Government after the election for the purpose of constitution of the Executive Council, elect from amongst themselves by a secret ballot one of the members to be Chairman of the meeting to conduct the proceeding where he shall also cast his vote and elect from amongst themselves in the manner prescribed:-

- (a) One member to be the Chairman ;
- (b) One member to be the Deputy Chairman;
- (c) One Chief Executive Councilor of the Executive Council;
- (d) As many Executive Councilor as may be decided by the General Council, but not exceeding one third of the total number of members of the General Council.

Term of Office

6. (1) The term of office of the General Council shall be five years from the date of the first meeting after the election of members in accordance with provisions of section 5 (3), unless dissolved earlier under section 49.
- (2) Notwithstanding anything contained in sub-section (1) above, the Chief Executive Councilor or the Executive Councilors shall cease to hold office as such forthwith if he, for any reason, ceases to be a member.
- (3) Notwithstanding anything contained in sub-section (1) the Governor may, if he is satisfied that circumstances so exist which render the holding of the election, as provided, impracticable, extend the term for a period not exceeding one year.

Resignation of Members of the General Council

7. (1) Any member of the General Council may, at any time, by giving notice in writing addressed to the Chief Executive Councilor, resign his office:
Provided that in case of the Chief Executive Councilor, the notice shall be addressed to any of the Executive Councilors.
- (2) Such resignation shall take effect from such date as specified in the notice or if no such date is specified, from the date of its receipt by the office bearer addressed.

Removal of Members of the General Council

8. (1) The Chief Executive Councilor or the Executive Councilors or any one of them or all of them may be removed from office by a resolution carried by a majority of the total number of the elected members at a special meeting of the General Council called for the purpose upon a requisition made in writing by not less than one third of the members of the General Council.
- (2) The Government, after giving an opportunity to an elected member of the General Council to show cause against the action proposed to be taken against him and after giving a reasonable opportunity of being heard, may by order, remove him from the office, if he,-
- (a) after his election, is convicted by a criminal court of an offence involving moral turpitude punishable with imprisonment for any period exceeding six months, or

