



GOVERNMENT OF ASSAM

PANCHAYAT & RURAL DEVELOPMENT DEPARTMENT

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated: Dispur, the 28th June, 2019

No. PDA.403/2018/11: In partial modification of Government Notification No. PDA.255/2009/36 dated 11.08.2010 and in partial modification of Government Letter No. PDA.102/2010/Vol-II/141 dated 29.06.2018 and the subsequent W.T. Message No. PDA.102/Vol-II/144 dated 13.07.2018, the Governor of Assam is pleased to notify the following interim/temporary arrangement for running of Hat/Ghat/Fisheries/Pounds for markets which can not be settled within the stipulated time (i.e. before 30th June of the Panchayat Financial Year) till settlement:

1. Disputes arises between Zilla Parishads and Anchalik Panchayats in certain Districts over the issue of jurisdiction of management of Hats/Ghats etc. during the period when the settlement is stayed by the Hon'ble Court and there is no specific order of the Hon'ble Court as to who will manage the same during this interim period till settlement is done through tender process; or such other direction passed by the concerned Hon'ble Court which does not specify interim management. In certain cases it has been found that the Anchalik Panchayats are managing some markets in such interim period the bid value of which were more than Rupees 1(One) Lakh during last tender process. This has led to disputes between Zilla Parishads and Anchalik Panchayats.

Therefore, it is hereby decided that whenever any interim arrangement for management of Hats/Ghats/Fisheries/Pounds etc. are required to be done pending formal settlement due to any Order of the Hon'ble Court or any other reason thereof, and where there is no specific order of the Court as to who will manage in the interim period, the Zilla Parishad will manage those Hats/Ghats whose tendered value during the latest bid was more than Rupees 1(One) Lakh irrespective of the fact whether the Market/Ghat was settled or not at the said tendered value. The other Hats/Ghats etc. will be managed by the Anchalik Panchayat concerned.

2. Further, some Zilla Parishad/Anchalik Panchayats are not following any procedure for such temporary arrangement and instead they have offered the arrangement arbitrarily causing loss of revenue to the PRIs.

The Government has carefully examined the matter and decides that such temporary/interim arrangements should be done in the first instance with the lessee of the previous Panchayat Financial Year at an enhanced rate of 25% over the previous year's settled value proportionately for the period of interim/temporary arrangement with rate of levies for that market remaining the same. In case the temporary arrangement period is prolonged under

some circumstances and extends beyond a period of 1(One) year, the rate should increase by another 25%, i.e. a total of 50% from the original regularly settled value and so on, subject to the condition that the lessee clears all his dues from the previous Panchayat Financial Year.

3. In the event of the previous lessee not accepting the interim/temporary arrangement or the arrangement can not be made with the previous lessee due to non clearance of his dues from the previous year, such markets shall be run through respective Zilla Parishad/Anchalik Panchayat only by some Weekly auctioning arrangement till settlement can be made. In case of market whose Govt. Scheduled Rate is above Rupees 1(One) Lakh, such auctioning will be done by the Zilla Parishad.

4. All the Chief Executive Officers, Zilla Parishads and Executive Officers, Anchalik Panchayat will ensure compliance of this direction of the Govt. and they will also bring it to notice of the Standing Committee for settlement of Hats/Ghats/Fisheries/Pounds.

5. In addition and in order to enhance the collection of Own Source of Revenue of the Panchayat, the Chief Executive Officers, Zilla Parishads, Executive Officers and Anchalik Panchayats are not to cancel any tender of the Highest Bidder merely on ground of non submission of required documents as per Tender Notice except Court Fee and earnest money and to allow such highest bidder to furnish the documents before offering settlement.

Sd/-

(Dr. J.B.Ekka, IAS)

Principal Secretary to the Govt. of Assam,
Panchayat & Rural Development Department

Memo No. PDA.403/2018/11 - A

Dated: Dispur, the 28th June, 2019

Copy to:

1. The Commissioner, Panchayat & Rural Development, Assam, Panjabari, Guwahati-37.
2. All Deputy Commissioners except Sixth Scheduled Areas.
3. All Chief Executive Officers, Zilla Parishad. They are requested to send copy of this Notification to all Block Development Officers under their jurisdiction.
4. O.S.D. to the Hon'ble Minister, Panchayat & Rural Development Department, Dispur.
- ✓ 5. Office File.

By Order etc.


Joint Secretary to the Govt. of Assam,
Panchayat & Rural Development Department