

No. 422/Vidhayee & Sansadiya Karya/2005

Dated Dehradun, January 31, 2005

NOTIFICATION

Miscellaneous

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttaranchal (The Uttar Pradesh Municipalities Act, 1916) (Third Amendment) Bill, 2005 (Uttaranchal Adhiniyam Sankhya 11 of 2005).

As passed by the Uttaranchal Legislative Assembly and assented to by the Governor on 29-1-2005.

THE UTTARANCHAL (THE UTTAR PRADESH MUNICIPALITIES ACT, 1916)
(THIRD AMENDMENT) ACT, 2005

(THE UTTARANCHAL ACT NO. 11 OF 2005)

[Enacted by the Uttaranchal Legislative Assembly in the Fifty-fifth Year of the Republic of India]

Further to amend the Uttaranchal (The Uttar Pradesh Municipalities Act, 1916) Adaptation and Modification Order, 2002

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ACT

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| 1. The Act may be called the Uttaranchal (The Uttar Pradesh Municipalities Act, 1916) (Third Amendment) Act, 2005. | Short Title |
| 2. In Section 54 of the Uttaranchal (The Uttar Pradesh Municipalities Act, 1916) Adaptation & Modification Order, 2002 hereinafter referred to as the Principal Act, in sub-section (2) the following sub-sections shall be substituted, namely :-- | Amendment of Section 54 of the Principal Act |
| (2) the term of office of a Vice-chairman shall be two years and six months from the date of his election or the residue of his term as a member, whichever is less. | |
| (3) the provision of aforesaid sub-section(2) shall also apply to the Vice-chairman, who is declared elected in the last election. | |
| 3. Section 47--A of the Principal Act shall be omitted. | Omission of Section 47-A of the Principal Act, (Act No. 2 of 1916) |
| 4. In Section 48 of the Principal Act-- | Amendment of Section 48 |
| (a) In sub-section(2), in clause (b) after sub-section (viii), the following sub-clauses shall be inserted, namely :-- | |
| (ix) caused loss or damage to any property of the Municipality; or | |
| (x) misappropriated or misused the Municipal fund; or | |
| (xi) acted against the interest of the Municipality; or | |
| (xii) contravened the provisions of this Act or the rules made thereunder; or | |
| (xiii) created an obstacle in a meeting of the Municipality in such manner that it becomes impossible for the Municipality to conduct its business in the meeting or instigated some one to do so; or | |
| (xiv) willfully contravened any order or direction of the State Government given under this Act; or | |
| (xv) misbehaved without any lawful justification with the officers or employees of the Municipality; or | |
| (xvi) disposed off any property belonging to the Municipality for a price less than its market value; or | |

(xvii) encroached, or assisted or instigated any other person to encroach upon the land, building or any other immovable property of the Municipality.

(b) In sub-section (2-A) the proviso shall be omitted.

Omission of
Section 87-A

5. Section 87-A of the principal Act shall be omitted.

Amendment of
Section 96 of
the Principal Act

6. In section 96 of the Principal Act, in sub-section (1), in clause (b)--

(a) for the words "ten thousand rupees" the words "fifty thousand rupees" shall be substituted,

(b) for the words "three thousand rupees" the words "fifteen thousand rupees" shall be substituted,

(c) in the proviso for the words "twenty thousand rupees" the words "one lakh rupees" shall be substituted.

By Order,

I. J. MALHOTRA,
Principal Secretary.