

No. 239/XXXVI(3)/2016/44(1)/2016

Dated Dehradun, August 02, 2016

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 Uttarakhand (The Uttarpradesh Nagar Nigam Adhiniyam, 1959) (Amendment) Bill, 2016' (Adhiniyam Sankhya 16 of 2016).

As Passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 28 July, 2016.

**THE UTTARAKHAND (THE UTTAR PRADESH NAGAR NIGAM
ADHINIVYAM, 1959) (AMENDMENT) ACT, 2016**

(Uttarakhand Act no. 16 of 2016)

[It is here by enacted in the sixty seventh year of the Republic of India as follows]

To further amend The Uttar Pradesh Nagar Nigam Adhiniyam, 1959 (Adaptation And Modification Order 2007)

An

Act

Short title-

1. (1) This bill may be called the The Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Amendment) bill, 2016.
(2) It shall come into force at once.

General
Amendment of
Uttar Pradesh
Act No. II of
1959

2. In The Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) hereinafter referred to as the Principal Act, where ever the expression " Mukhya Nagar Adhikari", "Apar Mukhya Nagar Adhikari", "Upa Nagar Adikari", "Sahayak Nagar Adhikari", "Nagar Pramukh". "Up Nagar Pramukh", Sabhasad and Sabasads, occur it shall be read as "Municipal Commissioner", "Municipal Commissioner", "Additional Municipal Commissioner", "Deputy Municipal Commissioner" "Assistant Municipal Commissioner", "Mayor". "Deputy Mayor", "Corporator" and "Corporators."

Amendment in
Section 174

3. In Section 174, in sub-section(1)-

(a) In clause (a) of the Principal Act the following clause shall be substituted namely-

(A) "In case of railway stations, colleges, schools, hotels, factories, commercial buildings and other non-residential buildings, twelve times the values arrived at on multiplying with multiplier to be fixed by rules in the monthly rate of rent per square foot of residential buildings fixed under clause (b) with the covered area of the building or open area of the land or both, as the case may be"

(b) In clause (b) of the Principal Act, for the words "two years", the word "Four years" shall be substituted.

Amendment in
Section 177

4. In Section 177, in clause (b) of the Principal Act, the following clause shall be substituted namely.

177 '(b).buildings and lands or portions thereof solely occupied and used for public worship."

Substitution of
Section 207

5. In Section 207 of the Principal Act the following section shall be substituted, namely-

"207. Preparation of assessment list- The Municipal Commissioner shall cause area wise rental rates and an assessment list in the city or part thereof to be prepared from time to time, in accordance with the manner prescribed in the rules".

Amendment in
Section 207-(A)

6. In section 207-(A) of the Principal Act, the word "residential" shall be omitted.

Addition of
new Section
207-B

7. After Section 207(A) of the Principal Act, the following new Section 207(B) shall be added.namely-

"207(B) Submission of the details of houses or lands for assessment of tax.-

(i) For the purposes of annual rental value, the owner or the occupier of every house or land shall submit a property return upto a date as may be prescribed.

(ii) Any person failing to submit the return to in Sub-section (1) without proper reasons shall be liable to pay penalty as may be prescribed.

(iii) The penalty referred to in Sub-section (2) may be compounded by the Municipal Commissioner."

Substitution of
Section 208

8. In Section 208 of the Principal Act the following section shall be substituted namely-

"208.Publication of list- The Municipal Commissioner shall publish the list prepared

under section 207 in accordance with the manner prescribed in the rules."

Substitution of
Section 209

9. In Section 209 of the Principal Act the following section shall be substituted namely-

"209. Objections on proposed rates and list.- The Municipal Commissioner or an officer authorised by him in this behalf shall dispose off the objections in accordance with the manners prescribed in the rules".

Amendment in
Section 210

10. In Section 210, for sub-section (1) of the Principal Act the following section shall be substituted, namely-

" 210(1). The Municipal Commissioner or an officer authorised by him in this behalf, shall authenticate by his signature the area wise rental rates and the assessment list of the city or any part thereof, as the case may be."

Amendment in
Section 211

11. In Section 211 of the Principal Act, in sub-section (1), for the words "two years" the words "four years" shall be substituted.

Amendment in
Section 213

12. In Section 213 of the Principal Act-

(a) In sub-section (1), for the words "Executive Committee or its any sub-committee appointed in this behalf " the words "The Municipal Commissioner or an officer authorised by him in this behalf" shall be substituted.

(b) In sub-section (1), in the proviso, for the words "Executive Committee or sub-committee" the words "The Municipal Commissioner or an officer authorised by him in this behalf " shall be substituted.

Substitution of
Section 214

13. In Section 214 of the Principal Act the following section shall be substituted namely-

"214. Obligation to supply information for purpose of amendment-

(1) When any building is constructed or reconstructed or any addition is made thereto by an owner or occupier and the covered area exceeds by more than 25 per cent then it shall be compulsory for him to submit its information to the Municipal Commissioner within sixty days of the date of completion or date of occupation whichever is earlier, in the prescribed form.

(2) The owners or occupiers, who do not submit information referred to in Sub-section (1) without

proper reasons, shall be liable to be punished with fine which may extend to an amount equal to double of the assessed general tax or Rs. 500.00 per day of the delay whichever is less.

(3) The Municipal Commissioner may compound the proposed penalty under Sub-section (2)."

Amendment in
Section 221-B

14. In Section 221(B) of the Principal Act, in sub-section (2), for the words "one thousand" the words "five thousand" shall be substituted.

Amendment in
Section 222

15. In Section 222 of the Principal Act, in sub-section (2), for the figure "500" the figure "5000" shall be substituted.

Amendment in
Section 550

16. In Section 550 of the Principal Act-

(a) In clause (a) for the words "five hundred" the words "five thousand" shall be substituted.

(b) In clause (a) for the word "twenty" the words "two hundred" shall be substituted.

(c) In clause (b) for the word "twenty" the words "two hundred" shall be substituted

By Order,

R. C. KHULBE,
Principal Secretary.

उद्देश्य और कारणों का कथन

पूर्ववर्ती राज्य उत्तर प्रदेश में लागू अनावासिक भवनों पर स्वकर निर्धारण हेतु उत्तर प्रदेश नगर निगम अधिनियम 1959 (उत्तराखण्ड राज्य में यथा प्रवृत्त) में संशोधन प्रस्तावित किया जा रहा है।

2- प्रस्तावित संशोधन के होने से उत्तराखण्ड राज्य की स्थानीय नगरीय निकायों में अनावासिक भवनों पर स्वकर निर्धारण करने के पश्चात् आय में बढ़ोतरी होगी, सम्पत्ति स्वामी अपना अनावासिक भवन कर स्वयं आंकलित कर सकेंगे व कर अदा करने के लिये प्रेरित होंगे तथा कर निर्धारण पारदर्शी एवं तर्कसंगत होगा। विगत वर्षों में सर्किल रेट में असमान्य वृद्धि होने के कारण सर्किल रेट के आधार पर आंकलित अनावासिक भवन कर अत्यधिक हो रहा था, उक्त धाराओं में संशोधन करने के उपरान्त सम्पत्ति स्वामी अपना अनावासिक भवन कर स्वयं आंकलित कर सकेंगे। जिससे जन सामान्य का असंतोष कम होगा एवं स्थानीय नागर निकायों की आय में वृद्धि होगी।

3- उक्त विधेयक उपरोक्त उद्देश्यों की पूर्ति करता है।

प्रीतम सिंह पंवार
मंत्री।