

পঞ্জীভুক্ত নম্বৰ - ৭৬৮/৯৭

Registered No. 768/97

অসম



ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 28th August, 2009

No.LGL.123/2003/Pt./93:-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XVI OF 2009

(Received the assent of Governor on 26th August, 2009)

**THE GUWAHATI MUNICIPAL CORPORATION
(AMENDMENT) ACT, 2009**

AN

ACT

further to amend the Guwahati Municipal Corporation Act, 1969.

Assam
Act I of
1973

Preamble

Whereas it is expedient further to amend the Guwahati Municipal Corporation Act, 1969, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Sixtieth Year of the Republic of India as follows:-

Short title, extent and commencement

1. (1) This Act may be called the Guwahati Municipal Corporation (Amendment) Act, 2009.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of section 4

2. In the principal Act, in section 4, in sub-section (2), for clauses (a), (b), (c) and (d), the following clauses shall be substituted, namely:-
 - “(a) Corporation;
 - (b) Mayor;
 - (c) Mayor –in-Council;
 - (d) Ward Committee;
 - (e) Area Sabha; and
 - (f) Commissioner.”

Amendment of section 5

3. In the principal Act, in section 5, in sub-section (1) (a), in clause (i), for the existing provisions, the following shall be substituted, namely:-

“(1) (a) (i) There shall be one Councillor for every population of at least 20,000 subject to the maximum of 31 members.”

Substitution of section 15

4. In the principal Act, in section 15,-
 - (i) for sub-section (1), the following shall be substituted, namely:-

“(1) The Corporation shall at its first meeting elect,-

 - (a) one of its Councillors to be the Mayor; and
 - (b) one of its Councillors other than the Mayor to be the Deputy Mayor.”
 - (ii) in sub-section (2), in the first line, for the word “first”, the word “second” shall be substituted.

Amendment of sections 15 B

5. In the principal Act, in section 15B, after sub-section (2), the following sub-sections (3), (4) and (5) shall be inserted, namely:-
 - “(3) The Mayor or Deputy Mayor or Presiding Officer or Deputy Presiding Officer or Chairman of any committee, as the case may be, may be removed from his office by way of a no-confidence motion approved by a simple majority of the elected Councillors in a meeting of the Corporation requisitioned for the purpose, by not less than one third of the total Councillors on the ground of his proved misbehavior or incapacity or corruption or financial irregularities or activities against the public interest or against the interest of the corporation or activities contrary to the provisions of this Act or the rules made there under.

- (4) In the event of removal of the Mayor or Deputy Mayor or Presiding Officer or Deputy Presiding Officer or Chairman of any committee, as the case may be, under sub-section (3), the Corporation shall elect one of its Councillors other than the removed Mayor or Deputy Mayor or Presiding Officer or Deputy Presiding Officer or Chairman of any committee, as a Mayor or Deputy Mayor or Presiding Officer or Deputy Presiding Officer or Chairman of any committee, as the case may be, within 15 days of such removal, for the remaining term of the Corporation.
- (5) In case of a meeting requisitioned for removal of Presiding Officer, the requisition shall be submitted to the Deputy Presiding Officer of the Corporation and Deputy Presiding Officer shall preside over the requisitioned meeting."
6. In the principal Act, for the existing section 20 A with heading thereof, the following shall be substituted, namely:-
- 20A. The Area Sabhas and Ward Committees of the Corporation shall be constituted under the Assam Nagara Raj Act, 2007 and shall discharge their duties and functions in accordance with the provisions of the said Act.
7. In the principal Act, in section 49, in sub-section (1), the words "Mayor and Deputy Mayor from Guwahati City" appearing in between the word "ward" and the punctuation mark "." shall be deleted.
8. In the principal Act, in section 50, in sub-section (1), the following sentence shall be deleted, namely:-
"No person shall simultaneously contest for the post of Councillor, Mayor and Deputy Mayor from Guwahati City"
9. In the principal Act, section 445 shall be omitted.

Substitution of section 20 A

"Constitution of Area Sabhas and Ward Committees and their functions

Amendment of section 49

Amendment of section 50

Omission of section 445

Assam Act No. XXVI of 2007"

MOHD. A. HAQUE,
Secretary to the Government of Assam,
Legislative Department, Dispur.