

ARUNACHAL PRADESH MUNICIPAL CORPORATION (AMENDMENT) ACT, 2021

The Arunachal Pradesh Gazette EXTRAORDINARY PUBLISHED BY AUTHORITY No. 111, vol. XXVIII, Nahariagun, Thursday, April 29, 2021, Vaisakha 9, 1943 (Saka) GOVERNMENT OF ARUNACHAL PRADESH LAW, LEGISLATIVE AND JUSTICE DEPARTMENT CIVIL SECRETARIAT ITANAGAR NOTIFICATION The 28th April, 2021 No. Law/Legn-8/2021 .— The following Act of the Arunachal Pradesh Legislative Assembly which was passed in the Sixth Session of the Seventh Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information. (Received the assent of the Governor on 26th April, 2021) THE ARUNACHAL PRADESH MUNICIPAL CORPORATION (AMENDMENT) ACT, 2021 (ACT NO. 9 OF 2021) to amend the Arunachal Pradesh Municipal Corporation Act, 2019 (No. 8 of 2019). BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Seventy-Second Year of the Republic of India as follows, - 2. 3. 4. 5. (1) This Act may be called the Arunachal Pradesh Municipal Corporation (Amendment) Act, 2021. (2) It shall come into force on the date of its publication in the Official Gazette. In the Arunachal Pradesh Municipal Corporation Act, 2019 (No. 8 of 2019) (hereinafter referred to as the principal Act), in section 2,- (i) in sub-section (15) for the words "Divisional Commissioner" the words "Deputy Commissioner" shall be substituted. (ii) after sub-section (69) the following sub-sections shall be inserted namely :- "(70) "Mayor" means an officially elected person to act as the executive or nominal head of the corporation. (71) "Deputy Mayor" means an officially elected person to act as the second executive or second nominal head of the corporation. (72) "Officer" means any officer or employee of a municipality, whether paid or unpaid, directly recruited or in-deputation under the Municipal Corporation. (73) "Official" means a person who is an employee of the Municipal Corporation". In the principal Act, in section 4, in sub-section (3), for the words, "shall also be the Councillor" the words, "shall also be Ex-Officio Corporator, who however, shall not have voting right" shall be substituted. In the principal Act, in section 15, sub-section (3) shall be deleted. In the principal Act, in section 17, for the entries in sub-section (2), the following entries shall be substituted :- "Every person elected or nominated to fill a casual vacancy shall be elected or nominated to serve for the remainder of his predecessor's term of office" shall be substituted by "Every person elected to fill a casual vacancy shall serve the remainder of his predecessor's term of office" 2 2 6. 7. 8. 9. 10. 11

12. The Arunachal Pradesh Extraordinary Gazette, April 29, 2021 In the principal Act, in section 50, after sub-section (2), the following sub-section shall be inserted ;- (3) **"Notwithstanding anything contained in section 81 , the Mayor and the Deputy Mayor of the Corporation shall assume office after taking an oath of Secrecy.**It shall be administered by Commissioner of the Corporation in the following form ; do swear in the name of God/solemnly affirm that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Mayor/Deputy Mayor except as may be required for the due discharge of my duties". In the principal Act, in section 53,- (i) in the heading, the word "Election of" shall be deleted. (ii) in sub-sections (1) and (2) for the words, "two and half" the word "five" shall be substituted. (iii) after sub-section (5), the following sub-section shall be inserted; - (6) **"Notwithstanding anything contained in section 81, the Commissioner in consultation with the Mayor of the Corporation shall convene a meeting of the Corporation as early as possible, but not later than thirty days after the election of the Mayor and the Deputy Mayor."** In the principal Act, in section 56, in sub-section (1), (2) and (3), for the words, "Deputy Commissioner of the District" the words, "Commissioner of the Corporation" shall be substituted. In the principal Act, in section 57,- (i) in sub-section (2), for the words, "Senior Town Planner, Superintending Engineer, IJD and the Deputy Commissioner" the words, "Senior Town Planner, Superintending Engineer of IJD & Housing and the Deputy Commissioner or his representative, not below the rank of Extra Assistant Commissioner" shall be substituted and for the word, "Officer" wherever appears, the word, "Officers" shall be substituted. (ii) after sub-section (12), the following sub-section shall be inserted; - "(13) In absence of the Mayor, the Deputy Mayor shall preside the 1st meeting convened under sub-section (2) of section 57. The Presiding Officer shall conduct the election of members for the Standing Committee from amongst the Councillors." In the principal Act, in section 81 , - (i) in the heading, after the word, "Mayor" the words, "and the Deputy Mayor" shall be added. (ii) in sub-section (1), for the word,

"Director" the words, "Commissioner of the Corporation" shall be substituted. (iii) in sub-section (2), for the words, "the Director shall nominate a Councillor who is not a candidate for such election to preside over the meeting" the words, "the Commissioner of the Municipal Corporation shall preside over the meeting" shall be substituted. In the principal Act, in section 89, for the word, "Director" the words, "Commissioner of the Corporation" shall be substituted. In the principal Act, in section 94, after sub-section (9), the following sub-sections shall be inserted; - (11) For the purpose of the section 94, the State Government may constitute cadres of common municipal services for the State in respect of such officers of the Municipalities as may be determined by the Government from time to time. The Director of Urban Local Bodies shall be the appointing authority of all officers borne in the cadres of common municipal services and shall be the authority to transfer such officers from one Municipality to another. Subject to the above provisions of section 94, and having regard to the need for ensuring maximum possible economy in Municipal administration, the State Government may, besides appointing a commissioner, appoint such other officers to deal with all or any of the functions relating to finance, engineering, planner, health, secretariat, law and internal audit, as may be determined from time to time". Note : In order to ensure minimum financial involvement in recruiting Municipal Officer initially, the under mentioned officer/officials shall be entrusted/deputed with the functions as under, namely : - The Arunachal Pradesh Extraordinary Gazette, April 29, 2021 3 (ii) The relevant technical manpower such as Architects, Civil Engineers and Town Planners and non- technical manpower from the Department of Urban Development and Housing, and Town Planning shall be posted to the Municipalities on deputation basis, till the Corporation generates enough resources to create and sustain its own establishment and manpower. Notwithstanding anything contained elsewhere in this Act, the State Government may appoint officers from Department of Urban Development and Housing, Department of Health Services and Directorate of Accounts, Government of Arunachal Pradesh, possessing such qualifications as may be determined by it for Municipal Corporation as Municipal Finance Officer, Municipal Architect/Engineer/ Town Planner or Municipal Health Officer as such designation as the State Government may consider necessary, and in such manner, and on such terms and conditions of service, as may be determined by the State Government in this behalf. The expenditure on account of salaries and allowances of any such officer shall be borne by the State Government: Provided that the officer so appointed shall be under the administrative control of the Commissioner of Municipal Corporation. 13

14. In the principal Act, in section 103, for the words, "Local Self Government" the words, "Urban Local Bodies" shall be substituted.In the principal Act, for the word, "Councillor" wherever appears, the word, "Corporator" shall be substituted. Onit Panyang, IAS Commissioner to the Government of Arunachal Pradesh, Itanagar. Published and printed by Directorate of Printing, Nahar-lagun. - 226/2021-DoP-250+Secy.(LA)-50+Commr.(Law)-IOO+Secy./Commr.TP&ULBs-100-4-2021.