

GAUHATI MUNICIPAL CORPORATION (SECOND AMENDMENT) ACT, 2006

Registered No. 768/97 THE ASSAM GAZETTE EXTRA ORDINARY PUBLISHED BY AUTHORITY
 190 21 2006, 30 1928 (To) No. 190 Dispur, Monday, 21st August, 2006, 30th Sravana, 1928 (S.E.)
 GOVERNMENT OF ASSAM ORDERS BY GOVERNOR LEGISLATIVE DEPARTMENT
 LEGISLATIVE BRANCH NOTIFICATION The 17th August, 2006 No. LGL. 123/2003/Pt/73-- The
 following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby
 published for general information. ASSAM ACT NO. XU OF 2006 (Received the assent of the Governor
 on 11th August, 2006) THE GUWAHATI MUNICIPAL CORPORATION (SECOND AMENDMENT)
 ACT, 2006. Preamble Short title, extent and commencement Insertion in section 3 Amendment of section
 174 AN ACT further to amend the Guwahati Municipal Corporation Act, 1969. Whereas it is expedient
 further to amend the Guwahati Municipal Assam Act 1 of 1973 Corporation Act, 1969, hereinafter referred
 to as the principal Act, in the manner hereinafter appearing seventh Year of the is hereby enacted in the
 Fifty Republic of India follows 1. 2. 3. (1) This Act may be called the Guwahati Municipal Corporation
 (Second Amendment) Act, 2006, (2) It shall have the like extent as the principal Act. (3) It shall come into
 force at once, In the principal Act, in section 3, after clause (22), the following new clause shall be
 inserted, namely :- " (22a) "Advertisement Prohibited Zone" means and includes an area or plot or ward or
 part of a ward, land on road side or river side, or such other sites or places within the Corporation as may
 be notified by Government from time to time ;" In the principal Act, in section 174, in sub-section (2),
 after clause (b), the following new clause shall be inserted, namely 1324 THE ASSAM GAZETTE
 EXTRAORDINARY AUGUST 21 2006 the advertisement falls under Insertion of new subsection in
 section 33 1 Insertion of new section " Power to seal unauthorised erection Insertion of a new section -
 "Punishment for violation of the provisions of the Act, rules or bye-laws Insertion of section 425A "Power
 of the Government to give directions 4. 5. 337A. -Prohibited Zone" as may be notified by the Government
 Under Clause (22a) of section 3.9' In the principal Act, in section 331, sub-section (2) a new subsection
 (3) shall be inserted, namely "(3) No building permission construction of a building whose height is meters
 or from average level of the central line of the street in which the site abuts or more than four floors
 excluding basement or still shall be permissible if the measurement of the proposed land on which the
 building is proposed to be constructed, is less than 4 Kathas" In the principal Act, after section 337, the
 following shall be inserted as section 337 A. namely: (1) It shall be lawful for Commissioner, at any time,
 before or (2) after making an order of demolition under section 335 and 337 or of stoppage of (erection
 of any building or execution of any work. under section 335, to make an order directing the scaling of such
 erection or work which is being carried on or has been completed in the manner provided in Act, for the
 purpose of carrying out the provisions of this Act preventing any dispute as to the nature and extent of such
 or work. Where any erection or work has been sealed, the Commissioner may, for purpose of demolishing
 or discontinuing such erection or work, order the seal to be replaced. (3) No person shall remove except
 (a) under an order by the Commissioner under sub-section (2) ; (b) under an order made by an Authority
 or the Government as may be made under the Act," 6. in the principal Act after existing section 4179 the
 following section shall be inserted, namely 417A (i) any Officer or Authority including the Appellate
 Authority or any agency under this Act issues permission for or of building in contravention of the
 provisions of this Act and the rules and made thereunder shall be liable to be punished with imprisonment for a
 term of six months along with a fine of rupees ten thousand. (ii) any builder or promoter or owner who erects
 or constructs or occupies any building in contravention of the provisions of this Act and the rules and
 made thereunder, except the provisions of compoundable limit as provided in the bye-laws, shall be liable to
 be punished with imprisonment for a term of six months along with a fine of rupees ten thousand," 7. In
 the principal Act, after existing section 425, the following new section shall be inserted, namely 425A. The
 Government may give such directions to the Corporation on questions of policy as it may consider it to be
 necessary in the public interest, in writing and the Corporation shall be bound by such directions." THE
 ASSAM GAZETTE, EXTRAORDINARY AUGUST 21. 2006 Insertion of section 445 "Continuance of
 the functions of the existing Mayor, Deputy Mayor and Councillors for a certain period
 8. In the principal Act, after existing section 444, following new section shall be inserted, namely the 1325
 Assam Act IV of 2006

445. Notwithstanding anything contained in the Guwahati Municipal Corporation (Amendment) Act, 2006 (hereinafter called the said Act), the existing Mayor, Deputy Mayor and Councillors shall continue to hold office and function under the principal Act, as if the said Act, had not come into force and they Shal! function untill the Mayor, Deputy Mayor and the Ward Councillors are directly elected under the provisions of the said Act." M. K. DEKA, Commissioner & Secy to the Govt. of Assam, Legislative Department, Dispur. GUWAHATI Printed and published by the Dy. Director (P&S) Directorate of Ptg. and Sty., Assam Guwahati-21 (Ex-Gazette) No. 379-500+60001-8-2006,

