

GAUHATI MUNICIPAL CORPORATION ACT, 2009

Registered No. 768/97 (19>1) THE ASSAM GAZETTE EXTRAORDINARY PUBLISHED BY THE AUTHORITY 256 28 2009, 6 1931 (qo) No. 256 Dispur, Friday, 28th August, 2009, 6th Bhadra, 1931 (S.E.) 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 1370 Preamble Short title, extent and commencement Amendment of section 4 Amendment of section 5 Substitution of section 15 Amendment of sections 15 B THE ASSAM GAZETTE. EXTRAORDINARY, AUGUST 28.2009 ACT further to amend the Guwahati Municipal Corporation Act, 1969. 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:- Assam Act I of 1973 1. 2. 3. 4. 5. (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. In the principal Act, in section 4, in sub-section (2), for clause' (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." 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." 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. In the principal Act, in section 15B, after sub-section (2), the following sub- sections (3), (4) and (5) shall be inserted,. namely:- 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. THE ASSAM GAZETTE EXTRAORDINARY AUGUST 28 2009 (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 1371 Assam Act No. XXVI of 2007" 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 6. 7. 8. 9. requisition shall be submitted to the Deputy Presiding Officer of the Corporation and Deputy Presiding Officer shall preside over the requisitioned meeting." 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. In the principal Act, in section 493 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. 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" In the principal Act, section 445 shall be omitted. MOHD. A. HAQUE, Secretary to the Government of Assam, Legislative Department, Dispur.

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