

MANIPUR MUNICIPALITIES (SECOND AMENDMENT) ACT, 2004

Minipiir Cäzette No. 144<B) Imphal, Mon&y,. GdVERNb#Ef+ OF MÄNtPt.jR SEC+FT4h}+T LAW, & • Ire NOTIFICATIO,N Enph4.lp., 'thq 29th 1927) •v;N02 : ßf.\ wÄfh pf. . Gevernor of iMqnipur on 26-8-2005 is bercby pgÉyshed..iA tug öfiéal fazztte., {Manipur. No. • et12 AN jái'd 1.0 further to amend the enaqe4..Py tke *kpüblif Manipur Municipalities Act,} 19194.. (AGA Nq.t393 QC I-.eÄi9aguf.e Manipu! fifty-fifth year qf the l. f. •ShorC tide and: •Tho] •Aet may bat IMibiäpäliitiÜf n-4, I! - force on Qb6•'AStaie tby li'ddficâtídG in ••thö•oficiál , .qf pet*pn pri\$íÄl the following sub-section (i) shall bo inserted* namdy:— ('.CJX d:'i'•,; nn . und& section D goi •o: e .idâ Scanned by CamScanner 4 2 3. Amaadmt of sociion i2Öepot næctioo 129 of tho ptiDcioal Act, tho f0110Fing nnmely •at 29 (t) If the construc{oo ot a building b 'tarted or if a building iJ materially altered or erected. (a) without sanction as requireß by aectioa 126 (I); or (b) without as requited by cec{ion 124 (2); ' Theatr sanctioh bas beu (d) in contravqation of terms ot any sanction grantöd,• wbm tbo sanction has lapsed; or (f) in contravcotion of any bye-laws mada Linder •cjujü (Vj sub- sc<ion (i) Of section 209. the- Council or Nagar Panchayat may mako aa order that such or erection•'or• altaration of the building •hall or by tho ag wb0\$so the erection ot alteration of tho building waa Tithin A of thirty daYD from tbd datB Df Of Che. order; Provided that no order of demolition or altaratioü bé tha person is given a reasonable opportunity or befere heard tor' *höWähä within a period Of fifteen days why such order shall not be made. (2) Any aggrieved by an order of tho Council or Nagar Panchayat, tba casa may undec (1) may prefor as appal against for åodifying• or annulling the ordée to tha the period specified in tho order for tbd or altration of the buißing vbich it relatz: Provided that the Tribuni may entertain an appeal after ox-piry of mid period if it is satisfied that tbore wat cuffcient cause for not 't within that period: (3) When no' appeal • bag' ben Bßin# ordet made tua Couacil or Nagar Panchayat under sub-section (1) Ör wtEre an ordét mado (2) BAB been' cöä'frmed appeal, tho agaiäbt #bom tba ot det bas been made shall wmpiy wiG tho orde within the pctiDd Of wilhiß tho *riod j.n tho order on Oa hilum of be person fo comply with gbø ord0F within period, tbQ er Naær Paachayat may nusa the dgmolition or algement ot the building to %hich tba Otdet relates ,t.O aad• the expense ot d.nlöiitiön Ot from pedöd •a artgat dt (tbd rovtmua (4) SuW to such order by the Appellato Tribunal on appeal under Uib-ædöâ (3), eury mado• by tbé' Cötfitdf NAGR under thall final." Scanned by CamScanner .19 4. of 129 R, 129 B, 13 D 125' E pectjon lb of • the. prineipal Act; (129 A, 09 C, D and 129 E bo inserted, namdf . c 'A29.A. (1.). Notwithctaadiqg anything contained in any proviäon or Act. •it. 'ball bc lawful for the Council or Nagar Encbgyat ae•nfiy timos beßre or after an order of demolition undot rdlqvânt nectang or g.toppage of tho congeructioa oc oction of any building or elocation of Any work .under rehvant zwtions. to makg an ordor •directing the tealinz ot zuch construction or erection or wprk or of the •in Whiéh cuch Gonzitucüon or or work jo being Qrried on or bas bc6n comple- ted in tho manner pregrcribod by Eula, ror tho purpose of carrying out tp proviziong ef this Act .or for ptovtnting any dispute ag •to nature extent of such erecüon ar work: that no order for ouch waling or &pping unde gub-gectiona Ando Rhc potaon ;givea a reasonablø opportunity of being .foc within a period- of dayg .wÄy auch order ahau zoe be (2) Where any construction or orection pr work or LIV premices iq which any construction or erection work is baing carried on, has ot have been sealed Q.<togpd tho Nagar eaochgyat. ac the gaga may.,b9, for •urp,z duch coactruction or. rotoction or work in 'Ot otdor.auch Stappaga or seal to,bc romoyöd. (3) Any parson aggriavd by an order under (1) may pretec •for -or annullina orda in •Udor anada .Buhesetion •129B' to prMqDiom of section. FL29 C Df Act, rD0 buidiag which Was constrtrected •ith df -tb Cmmcil. "Panchayat, as tlz case may be, botoro •into• *ratm •Of sætion 129 or 129A, sbalt botorderedno or ot tho building including its height is fit for human habitation and also not 'in dnnprods raoundand eaxcept Alteration of {building doors, ba.lcop.. dtc. per spedäeaeiaa fuprücr&d..by \$yodaw, Tbo owner or •oeca*r aball oat %ueh üor *Uerüioa -. {iön df buffding withh 'modthß 'from bathe with gpæification from the•Cooncil Nanr .Parrlnvat.x ; the Explata*im tho word "minor alteration or orientation Of the budding" *tem, natuml Yigin. •ayskm {and •.sugh.)påer :proeoativo a—inst disaster. Scanned by CamScanner I-IDC. • (i) Notwithstanding;- 9DYthiog . .in thig Act, i? any :i.cbqilding or a • postion.. thereof , in locality u, in t4e:op4âiqn Q! the State Government for reasons. or protection of' tho locality' rec9rded, dazgerous or causing inconvenience to the resident dra 6th e r 2 including owner or. occupier of tho such building Who • have legal thereto or to the neighbourhood thereof, the Snta Gowmmeat may the

to make, appropriate order for removal or alteration of the building or a portion thereof in the public interest. The Council or Nagar Panchayat as the case may be, in addition to any action that may be taken under this Act as by the State Government, shall, to a reasonable compensation in appropriate case to be paid may prescribe, by a notice in writing, with a statement of reasons thereof, require the owner of such building within a period of not less than one month to be specified from date of notice : to remove or alter balcony or projection of or hanging veranda including whatsoever or to take such steps for alteration of, the building or a portion thereof as shall appear to the Council or Nagar Panchayat as the case may be, necessary in order to prevent such danger or inconvenience arising therefrom: Provided that no order of demolition or alteration shall be made unless the person is given a reasonable being: heard for, showing within a period of fifteen days why he should not. (2) The Council or Nagar Panchayat, as may be, may before the period of any such notice has expired, take such temporary measures as it thinks fit to prevent damage or inconvenience arising therefrom; and any incurred by the Council or Panchayat in taking such temporary measure shall be recoverable from the owner of the building adjusted out of the compensation to be paid as the case may be. (3) In case of default by the Council or Nagar Panchayat as the case may be, to take action within such period by the State Government, in its direction issued under sub-section (1) of section 129A, the Deputy Commissioner to the District Appellate Tribunal on affidavit may make an order for removal or alteration of the building or a portion thereof as provided in sub-section (1). An aggrieved person by the Appellate Tribunal may file an appeal within the period specified in the order. Scanned by CamScanner D. Constitution of Appellate Tribunal etc: (1) The State Government shall, by in the official Gazette, an Appellate Tribunal of one person who shall be a Judge or Additional District Judge, to be appointed by the State Government, for deciding appeals preferred under sections 129(2), 129A(3) and 129C(4). (2) The Appellate Tribunal may entertain an appeal after expiry of the period in the order if it is that there was sufficient cause for not filing it within the period. (3) The Appellate Tribunal may after opportunity of to the parties, pass orders thereof it thinks fit confirming or annulling the order appealed against. (4) The Tribunal shall not make an interim order the Council or the Nagar Panchayat or its officer or the Deputy Commissioner as the case may be unless an application is given to the Council or the Nagar Panchayat or its officer or the Deputy Commissioner to be heard in matter. 129 E. The State Government may or may not direct the Engineer of Public Works Department Manipur for determination of the value of the building or the portion of the building to be removed or damaged to such building in the course of implementation of the order made by the Council or Nagar Panchayat, as the case may be. A. SUKUMAR SINGH, (Law), Govt. of Manipur. Printed at Directorate of Printing, Govt. of Manipur/305-CJ3-g-n5 Scanned by CamScanner