

MANIPUR MUNICIPALITIES (TENTH AMENDMENT) ACT, 2016

MANIPUR Imp} 'Rl. Wednesday, MRrch 16, 20! (i (Phalguna 26, GOVERNMENT OF MANIPUR f AFFAIRS DEPARTMENT 0th 1937) T lit? tk)ilowing Act of the Legislature. Manipur which received assent Goventor of Kianjpur on March 2016 is hereby published in the (n)ffcial Gazette : MANIPUR MUNICIPAL(TIRS (TENTH AMENDMENT) ACT, 2016 NC). 6 OF 2016) ACT furik±? amend the Manipw h4uniciRü!ities Act* 1994. it enacted by the Legislature of Mänipur in the Sixty-seventh Year of the Rqublié of India cs follows L Thj4 Act may be called ute Manipur Municipalities (Tenth Amendment) Act, 2016. (2) it shall come into force on wch date as frie Government may. by noti'fication in Official Ouette, appoint 2. in section 2 of the Manipur Municipalities Act, 1994 (heteinahet referred to as die Act),-

(a) in clause (n for words "Municipal Council or Nagar Panchayat", the words "MIMicipal Council or Nagar Panchayat or Municipal Corporation" shall (b) in (34), for the words gthe Nagar Panchayat or -die Municipal Council", words "the Nagar Panchayat or the Municipal Council or ule Municipal Corpntion" shall Short nd section 20 Chaper IIIA. I uencperagion M unki"! Corporüioe. Every Mayer aed Deputy M*yors Eieetioa of Mayoe.x 2 3. After Chapter III of the Principal Acts the töllowing flew Chapter IIIA shall be inserted, namely:- "CHAYI*ER IIIA MUNICIPAL CORPORATION 12A, A Municipal Cot-pora.tion shall be a body corporate by its name, having a peqxtual succession and a common seag with power to ae.quirz, hold and dispse of pjoperty and to contract, and shall *Lie and be sued in its name. 12B. Extxpc otherwise provi&d in this Act, the municipai adminisüation of a Municipal Corporation shall vest in the Municipal Corporation. 12C. (1) Every Corporation shali consist such of Councillors as may fixed by ethe State Government from time to time by notification. (2) Save as provided in sub-section Municipal Cos be filled by per.-',. by dEe-'Ct election from the ten-itotial to ward:, in municipal area- (3) State Govemment may appint a F.rson having special knowledge ' ot experience in ruuf:ic.ipa! toy representation in the Municipal Corpotui. Provided that such r*tson shall not have the right t', the meetings of the Corporatio.*l. .12D. For every Coq»ratioti, uje.re sheil a ChailTærsen and a Vicechair-person who shall be known respectively as Mayor and Deputy Moyoc for the Mmicipal Cotporatiort. 12E. (1) Save as otherwise provided in this Act* the Councillors at the first meeting of the Corporation to called at the instance of Commissioner after a general election shall elect one of them to Mayor in with rules rna& in this (2) Such election shall take place within forty-five days from frie date of of t}'k result un&r setion 22; and in the case of vacancy in the office of Mayor on account of any rnson other than expiry of the of office Mayor, withl fion of dE of tr (3) The State Government shall, appint a to praide over 3 the meeting convened for the purpose of the business mentioned in sub-section (i 12F. fthe Councillors shall, elect a Deputy Mayor either in the meeting to in sub-section (1) of section 12b or if a subsequent rmeeting but within thirty days from the date of the first meeting referred to in (1) of section 12E. 12G4 When a Councillor who the office of Mayor or the Deputy Mayor ceases, for any reason to be a Councillor he shall. at üte same timeÉ to hold office of the Mayer or fhe Deputy Mayor, as the case may (1) Mayor may resign his office by writing a letter of addressed to the Deputy Mayor, who shall deliver it within days from the dae of its receipt to the Municipal Commissioner, or to the Commissioner if the office of the Deputy Mayor is vacant (2) The Deputy Mayor or a Councillor may resign his office by writing a of reigation ddressed to the Mayor, who shall deliver it within seven days from âe date of its receipt to the Municipal Commissioner or, to the Municipal Commissioner if the office of the Mayor is vacant (3) Ille resignation under gub-section (1) or sub-section (2) shall take effect from the dâte on which it is accepted by the State Government. (4) 'The Municipal Commissioner shall forthwith intimate the fact of resiBi8tion under sub-section (1) or sub-section (2) to the Corporation and the State Govemment* (5) On of the intimation under sub-section the Government shall notifr in the Official Gazette the fact of the rßignation and occurrence of casual vacancy consequent 1M. No Councillor of a Mtmicipai Corprmnion who has from his office under sub-\$#tion (i) or under clause (b) (c), (d) or (e) of sub-section (2) of 29 shall be eligible for elecdon or re-election as a Councillor for such period as may be 12J* (i) The State Govemment may remove by a notification in the Official Gazene, from office, the Mayor or the Deputy Mayor in pursuance of a raolution passed by 4 majority of the total of the Councillors and supprted by not lus than two- third of the Councillors present and voting at a meeting specially conven«i for the purpse under sub-secdon (2). Electho of Deputy Mayor. MaFr or the DepeO' Mapr bold omet suehe Rewathn by Mayor, Deputy Mayor

and Coeneilør. or Mnyor er Deputy Mayor, s%hal} be in the i • .%i'iall be rne;eting on a requisilion by not less of the total number of Council lots the bellu•nicipal Corporation for the time (ii) the notice of such a meeting specifying the time ajid place thereof Sha)! be dispa@ched id,ipai to eve:y tea daye before Che azeetinr, (iii) the Mayor or die Deputy Mayor. as the case may be, against whom the tesoiution tcfetred to in sub-section (I) to be movedv shall not prvide over the meeting; (iv) a copv of the notice shall be sent to the State Government (V} no such me,eiiag, convened uoder (21 €3hail be adjourned fix any except gtocnd of natural calamities affwtng the meeting. (3) Notwithstanding anything contained in this Act, where the 0? the Deputy Mayor oc a Councillor is me of the signtÅiGt•ies to the requisition for such meeting* Mayor or the Deputy Mayor or the Councillor as the case may be, Shail noi preside over such meeting and in such eventuality, the Deputy Commissioner of the, concerned district shall preside over such meeting. (4) I? tte Office of the Ndayor tzcotnes vacant a!! povers and duties of the Chairperson\$ may, until the election ofa new Mayor, be exercised and performed by the Deputy Mayor, (5) lhe removal Of the Mayor or the Mayor under sulY section (1) shall be from the date of its resolution in this regard. 12K* If the motion of ncyconfidence against the Mayor Or the Deputy Mayor, as the case yney be, is defe&d, no fresh motion no confidence against æ Mayor or Depjty Mayororboå, as the case may be, shall be brought tEfore the Municipal Corporation, within a period of one year from the date of such defeat of the motion. 'Che Cowpojatioti may, ft-orn time to time, grant such leave ub\$ene,e to the Mayor or the Deputy Mayor as it may deem fit. Mayor tetnains absent Cron! office (2) owing to illness oc an) otbev cause a period exceeding three months without the leave of the Municipal Corporation, he shall cease to be (be Mayor or the Deputy Mzyor, as tie case may and his office Shail vacant. .(3) During the absalee on leave of *the Mayor, the Deputy and io like event in the case of a Deputy Mayor such cne of the as may be elected by thetn to act As Deputy Mayor, .,Shvzil disvvhgrge the functions oc the Mayor or the Deputy Mayor, es case titay be. (4) The Deputy Mayor or the Councillor shall, during and in respect of the period in which he ig acting as, or discharging the function of Mayor Or the Deputy Mayor, as the case may be. the conferred and the duties imposed on a Mayor or g Mayor by or under this Act or by any other law for the time being in force. 12M. it shall bc the function of the Mayor— (a) to preside, unless prevented by rusonable cause over all of Municipal Corporation and subject to the provision of the bye-law for the time being in force, to regulate the conduct of busineSs at such meeting; (b) to watch over the financial and executive administration of the Municipal Corporation and perform such executive function as may be allotted to him by or under this Act and rules or bye taws framed there under; (c) to exercise supervisory and executive conunol over acts and officers and employees of the Municipal respecting their Corporation, as the case may executive functions and the accounts end records ot the Municipal Corporation; (A) to direct in case of emergency, the txection or stoppage of any work or doing of any act which requires the sanction of the Municipal Corporation and the immediate execution or doing of which is. in his opinion necessary for the service safety of the public, and the expenses incurred in the execution of such work or doing of such act shall be paid from Municipal Fund: Grsnt Of ot tbse.ee t' Mayer orthe Deputy Mayor. Power •nd function or Mayor. Fune\$on of i>epuiy Msyor. Muyor, Depot}' Müror M umcit•J Corecet;o.i. Ot Provided that he shall not act under ot' eay (i) order of the Municipal Corporatioa proh the executiot% of any particular work or the doing of any particular act, and (ii) he shalt rept forthwith the action taken under ciause(d) and the reasons theltot to the •Municipal Corporation ai its next meeting. iZN. it shall be the function Mayor (a) in the, absemoe of the Mayor and unless prevented by cezgonable cause, to preside over meetings of the Municipal Cotxonttiori and he shall, when so presiding exercise the same authority as is vested in the Mayor under section t 2M; and (b) the election ofa during the absence of Maycr to exercise the powecs and deities of die Mayer. The the E)epuO Mayog arty (20üncillor of Municipai Corporation may be by the Municipal Corporation such remuneration of such allowance as may be Provided that the expenditure to be incurred linder this section shali wiüioat prejudice to the provisions of section 71 t be paid out of the Municipal Fund, 12P. (1) There shall be a Municipai Commissioner for the Municipal Corporation who shall the Executive Officer of the Municipø! ectporoti0ft* He function as the Seett%ary to the Municipal aüd a}! other Officers and employees of the Municipal Corpocalion shell be subcrdinate to him. (2) The Municipal Commissioner shalt be by SYEte terms and conditions as may prescribed, 12Qø Save as othetwise provided in this Act, the provisions of this Acts as are apphicbe to Die or tie Municipal Council, as the ease may shall anly mutandis in the case of ffe Municipal Cotporaion. (4) PrincipalAcqhefollowing Amcndnent er Secüon 100B shßi! be substituted, narnely:• "The Chairperson and

'the members of the Board other than ex-officio holders of office for a period of five years or until he attains the age of 65 years, including earlier and the terms and conditions of their allowances, shall be such as may be prescribed by the State Government in the rules made under the Manipur Municipalities Act, Amendment of Section 100C. (a) sub-section (1) shall be substituted by the following namely:-) The members of the Board other than ex-officio appointed by Government on the recommendation of a Committee consisting (i) the Chief Minister; (ii) of the Legislative Assembly Member; (ii) Leader of the Opposition in the Legislative and (b) another (1) so substituted, the following new (1 A) shall be inserted, "(1A) No appointment of a Chairperson or a member of the Board shall be invalid merely by reason of any vacancy of any Member in the Committee referred to in sub-section (1) 6. In sub-section (2) of section 208 of the Principal Act, wherever the Amendment or words Nagar Panchayat or a Council" occur, the words Nagar Panchayat or a Council of 8 Municipal Corporation" shall be substituted. THS KAMINI KUMAR SINGH, Secretary (Law), Government of Manipur, Printed at the Directorate of Printing & Stationery, Government of Manipur!305-C 1643-2015.

