

THE UTTAR PRADESH LOCAL BODIES (APPOINTMENT OF
ADMINISTRATOR) ACT, 1961¹

[U. P. ActNo. XX of 1961]

[Passed in Hindi by the Uttar Pradesh Legislative Assembly on August 2, 1961,
and by the Uttar Pradesh Legislative Council on August 21, 1961.

Received the Assent of the Governor on September 3, 1961 under Article 200
of the Constitution of India and was published in the *Uttar Pradesh Gazette,
Extraordinary* dated September 7, 1961.]

AN

ACT

***to provide for the appointment of Administrator for the Local Bodies in Ghaziabad
Region for purposes hereinafter appearing.***

WHEREAS it is necessary to provide for the immediate appointment of an
Administrator for the civic affairs of Ghaziabad Region with a view to facilitate the
establishment of a corporation therein and for certain other incidental matters ;

IT is hereby enacted in the Twelfth Year of the Republic of India as follows :

Short title 1. (1) This Act may be called the Uttar Pradesh Local Bodies and **commen-**(Appointment of
Administrator) Act, 1961.

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(2) It shall extend to such areas within Ghaziabad tehsil and U. P. Act VIII outside as are, or
may be, included within the limits of the of 1919

Improvement Trust, Ghaziabad, established under section 3 of the U.

U. P. Act II of P. Town Improvement Act, 1919 and to the area within the 1916 Municipality of Ghaziabad
notified under section 3 of the U. P. Municipalities Act, 1916.

Definitions 2. In this Act, unless there is anything repugnant in the subject or context —

(1) “Board” or “Municipal Board” means the Municipal Board of U. P. Act II of 1916
Ghaziabad established under section 3 of the U. P. Municipalities Act, 1916 and includes a person or
persons appointed under clause (b) of section 31 of the said Act to exercise and perform the powers and
duties of the Board ;

(2) “Ghaziabad region” means such areas within Ghaziabad
U. P. Act VIII Tehsil and outside as are, or may be, included within the limits of the of 1919 Improvement
Trust, Ghaziabad, established under section 3 of the U.

P. Town Improvement Act, 1919 and the area within the municipality U. P. Act II of
1916 of Ghaziabad notified under section 3 of the U. P. Municipalities Act, 1916 ;

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Statement of Objects and Reasons see *GazetteExtraordinary* dated Aug. 2, 1961.

(3) “Local Body” means the Municipal Board, Ghaziabad, or the Improvement
Trust, Ghaziabad, as the case may be ; and

U. P. Act VIII (4) “Trust” means the Improvement Trust, Ghaziabad,
of 1919 established under section 3 of the U. P. Town Improvement Act, 1919.

Appointment 3. (1) Notwithstanding anything to the contrary contained in of Administ-the U. P.
Municipalities Act, 1916, or the U. P. Town Improvement Act, rator
1919, the State Government may, for all or any of the purposes of this Act, by order published in the
Gazette, appoint Administrator for any or all the local bodies in the Ghaziabad region, and —

(a) declare that with effect from a date, to be specified in the order, all powers,
duties and functions of the local body, its President or Chairman, as the case may be, or
a Committee thereof, whether under any of the aforesaid enactments, or any other law,
shall be vested in such Administrator and shall, until the order is superseded or
repealed, be exercised, performed and discharged by or under the authority of the
Administrator, who shall be deemed to be the Board, Trust, President, Chairman or
Committee, as the occasion may require ; and

(b) make such incidental and consequential provisions, including provisions for suspending any provisions of the said Acts, as may appear to be necessary or desirable for this purpose ;

Provided that the State Government may appoint the same person as Administrator for both the local bodies.

(2) Upon the publication of the order under sub-section (1), the Board or Trust constituted as such, and all Committees thereof shall cease to function and all members of the Board or Trust or Committees thereof including its President or Chairman, as the case may be, shall with effect from the date specified under clause (a) of sub-section (1), vacate their offices.

(3) In particular and without prejudice to the generality of the provisions contained in clause (b) of sub-section (1) the State Government, by the same or subsequent order, may —

(a) for the purpose of giving effect to the provisions of this Act, make such adaptations, modifications and alterations in but not affecting their application to the Ghaziabad region, but not affecting their substance, as the circumstances of the case may require, and the aforesaid acts shall thereupon take effect, in that region and till such time as a corporation is established therein, subject to the adaptations, modifications and alterations so made ;

(b) provide for the payment of salary and allowances to the Administrator out of the local fund concerned ; and

(c) where the same person has been appointed Administrator for both the local bodies, provide that such posts or offices, under any such local body, as may be specified, shall not be filled up, or that they shall be filled upon on a joint basis for both the local bodies, and also for the payment of the salaries and allowances of the persons so appointed out of the local fund concerned.

U. P. Act II of 1961 (4) Any order made under clause (b) of sub-section (1) or sub-section (3) shall have effect, notwithstanding anything to the contrary contained in the U. P. Municipalities Act, 1916 and the U. P. Town Improvement Act, 1919.