

THE UTTARANCHAL (UTTAR PRADESH NAGAR NIGAM ACT, 1959)
(AMENDMENT) ACT, 2002

(ACT No. 19 OF 2002)

AN ACT
To further amend the Uttar Pradesh Nagar Nigam Act, 1959 in its application in Uttaranchal.

1. Short title, Extent and Commencement.

It is HEREBY enacted in the Fifty-third year of the Republic of India as follows :-

- (i) This Act may be called Uttaranchal (Uttar Pradesh Nagar Nigam Act, 1959) (Amendment) Act, 2002.
- (ii) It extends to the whole of Uttaranchal.
- (iii) It shall be deemed to have come into force at once.

2. Amendment of Sec. 6(1)(a) of the Uttar Pradesh Nagar Nigam Adhiniyam, 1959

In section 6(1)(a) of the Uttar Pradesh Nagar Nigam Adhiniyam, 1959 (hereinafter referred to as the "Principal Act") the word "Sixty" shall be substituted by the word "Twenty" and the word "One Hundred Ten" shall be substituted by the word "Forty-five".

3. Amendment of the first proviso of section 7

The first proviso of Section 7 (1) of the Principal Act, the word "Fourteen" shall be substituted for the word "Twenty-seven".

4. Insertion of a new sub-section 24(d)

After section 24 (c) of the Principal Act a new sub-section 24 (d) shall be inserted :-
(d) He is not a candidate from more than one ward.

5. Insertion of a new sub-section 25(1)

After the sub-section (k) of section 25 (1) in the Principal Act, following shall be added :-

- (l) He has more than two living children of whom one is born after expiry of 300 days from the date of notification of this part; or,
- (m) has been convicted of any offence against a woman ? or,
- (n) has an interest or share, in a publication where in advertisement regarding activities of the municipalities can be published ? or,

is a paid employee of any institution, receiving financial aid from the municipalities ? or,
the person or any member of his/her family or his/her legal heir is in unauthorized occupation of any land or building owned or managed by the municipality/ Government or a public road or pavement, canal, drain, or is a beneficiary of such unauthorized occupation ; or,
is a representative or office bearer of any federation or union of any cadre or class of employees of the municipality ; or
has been convicted of any offence involving violation of any Act, Rules, Sub-rules, regulations and Govt. orders relating to Municipality and has been found guilty of working against the interest of the municipality.

Section-44 of the Principal Act the words "or voting Machine" shall be added after work "secret ballot"

6. Amendment of section-44

Section 45 of the Principal Act, sub-section (3) shall be added :

State Election Commission shall obtain from all the candidates a declaration in the form of an affidavit containing the following information and any other information it deems necessary and shall, except information contained in clause (c) and (e), publish the same in the major daily newspapers for the information of the electorate.

7. Added of a new sub-section(3) of section 45

- (a) Whether the candidate has been convicted/acquitted/discharged of any criminal offence in the past and, if convicted, whether he was punished with imprisonment or fine ?
- (b) Prior to six months of filing of nomination, whether the candidate is accused in any pending case, of any offence punishable with imprisonment for two years or more, and in which charge is framed or cognizance is taken by the Court of law. If so, the details thereof.
- (c) The assets (immovable, movable, bank balances etc.) of a candidate and of his/her spouse and, that of dependants.
- (d) Liabilities, if any, particularly whether there are any over dues of any public Financial Institutions or Government dues.
- (e) His/her source of income and full details of present Monthly/Annual Income.
- (f) Whether he/she is married/unmarried.
- (g) Number of Children, their ages, and their educational expenses.
- (h) Details of his/her income tax; house tax; projections tax/fees payable annually.
- (i) The educational qualifications of candidate.

In section-177 of the Principal Act :-

- (a) In place of sub-section (a) the following sub-section shall be substituted :-
- (c) Building solely used as school and colleges and owned by Government"
- (b) Clause(h) shall be omitted.

8. Amendment of Section-177

Repeal and savings

- (1) The Uttaranchal (Uttar Pradesh Nagar Nigam Act 1959)(Amendment) ordinance-2002 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the corresponding provisions of the Uttar Pradesh Nagar Nigam Act 1959 as amended by the ordinance referred to in sub-section(1), shall be deemed to have been done or taken under the corresponding provisions of the Uttar Pradesh Nagar Nigam Act 1959 as amended by this Act, as if the provisions of this Act were in force at all Material times.

Uttaranchal ordinance no.4 of 2002

By Order,

(U. C. DHYANI)
Addl. Secy.