

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Adaptation and Modification Order, 2002) Adaptation and Modification Order, 2007 (Amendment) Bill, 2008 (Uttarakhand Adhiniyam Sankhya 04 of 2008).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 19th March, 2008.

No. 1303/XXXVI(4)/2008

Dated Dehradun, March 20, 2008

NOTIFICATION

Miscellaneous

THE UTTARAKHAND (THE UTTAR PRADESH NAGAR NIGAM ADHINIYAM, 1959) (ADAPTATION AND MODIFICATION ORDER, 2002) ADAPTATION AND MODIFICATION ORDER, 2007 (AMENDMENT) ACT, 2008

(UTTARAKHAND ACT No. 04 OF 2008)

Further to amend the Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Adaptation and Modification Order, 2002) Adaptation and Modification Order, 2007 for the State of Uttarakhand

AN

ACT

Be it enacted by the Uttarakhand Legislative Assembly in the Fifty-ninth year of the Republic of India as follows :--

1. (1) This Act may be called the Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Adaptation and Modification Order, 2002) Adaptation and Modification Order, 2007 (Amendment) Act, 2008.

Short Title and Commencement

(2) It shall come into force at once.

2. In the end of section 8 of the Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Adaptation and Modification Order, 2002) Adaptation and Modification Order, 2007, hereinafter referred to as Principal Act, a new sub-section shall be inserted, namely:--

Insertion of new sub-section (4) in section 8

“(4) Where the term of a Nagar Nigam has expired or a new Nagar Nigam Board has not been constituted, then until the due constitution of the new Board--

(a) all powers, functions and duties of the Nagar Nigam, its Mayor, Deputy Mayor, Ward Committee, Executive committee, Development committee and Other Committees, constituted under sub-section (e) of section 5, shall be vested in and be exercised, performed and discharged by an officer appointed in this behalf by the State Government (hereinafter referred to as the Administrator) and he/she shall be deemed in law to be the Administrator, Nagar Nigam, or the Committees, as the occasion may require;

(b) such salary and allowances of the Administrator, as the State Government may, by general or special order in that behalf, fix, shall be paid out of Nagar Nigam Fund;

(c) the State Government may, from time to time by Notification in the Gazette, make such incidental or consequential provisions, which include provisions for adapting, altering or modifying any provision of this Act, without affecting the substance, as may appear to it to be necessary or expedient for carrying out the purpose of this section :

Provided that the term of Administrator, appointed under this section shall not exceed six months or till the constitution of new Nagar Nigam Board, whichever is earlier.”

3. Clause (d) of section 24 of the Principal Act is hereby repealed.

Repeal of clause (d) of section 24 of the Principal Act

Inserting of a
new clause in
section 25

4. A new clause shall be inserted after clause (r) of sub-section (1) of section 25 of the Principal Act, namely:--

“(s) is a candidate from more than one ward;”

Repeal of section
30 of the
Principal Act

5. Section 30 of the Principal Act is hereby repealed.

“Nagar Nigam” to
be read instead
of “Nagar Palika”

6. In the Uttaranchal (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Amendment) Act, 2002 (Act No. 19 of 2002), wherever the Word “Nagar Palika” occurs, it shall be read as “Nagar Nigam”.

Repeal and
savings

7. (1) The Uttarakhand (The Uttar Pradesh Nagar Nigam Adhiniyam, 1959) (Adaptation and Modification Order, 2002) Adaptation and Modification Order, 2007 (Amendment) Ordinance, 2008 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Principal Act as mentioned by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the Principal Act as amended by this Act as if All the provisions of this Act were in force at all material times.

By Order,

Smt. INDIRA ASHISH,
Principal Secretary.