

No. 68/XXXVI(3)/2019/16(1)/2019
Dated Dehradun, March 07, 2019

NOTIFICATION

Miscellaneous

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 (Uttar Pradesh Municipal Corporation Act, 1959) (Amendment) Act, 2019' (Act No. 06 of 2019).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 05 March, 2019.

THE UTTARAKHAND (UTTAR PRADESH MUNICIPAL CORPORATION
 ACT, 1959) (AMENDMENT) ACT, 2019

(Uttarakhand Act No. 06 of 2019)

An

Act

Further to amend the Uttarakhand (Uttar Pradesh Municipal Corporation Act, 1959) (Adaptation and Modification Order, 2002) in context of the Uttarakhand State.

Be it Enacted by the Uttarakhand State Legislative Assembly in the Seventieth year of the Republic of India;

Short title, 1. (1) This Act may be called the Uttarakhand (Uttar Pradesh Municipal
 extent and Corporation Act, 1959) (Amendment) Act, 2019
 commencement (2) It extends to whole of the State of Uttarakhand.
 (3) It shall come into force at once.

Amendment of 2. In the Uttarakhand (Uttar Pradesh Municipal Corporation Act, 1959)
 Section 135 (Adaptation and Modification Order, 2002) (hereinafter referred to as the
 Principal Act), for section 135, the following Section shall be Substituted,
 namely-

“Estimates not exceeding rupees 25 lakh in the municipal corporation 135. (1) The Municipal Commissioner may sanction any estimate, the amount of which does not exceed rupees Ten Lakh, in the Municipal Corporation having population more than Five lakh.
 (2) The Municipal Commissioner may sanction any estimate, the amount of which does not exceed rupees Five lakh, in the Municipal Corporation having population less than Five lakh.

- having population more than 5 lakh and not exceeding rupees 15 lakh in the municipal corporation having population less than five lakh.*
- (3) The Mayor may sanction any estimate, the amount of which does not exceed rupees twelve lakh, in the Municipal Corporation having population more than Five lakh.
- (4) The Mayor may sanction any estimate, the amount of which does not exceed rupees six lakh, in the Municipal Corporation having population less than Five lakh.
- (5) The Executive committee may sanction any estimate, the amount of which does not exceed rupees twenty five lakh, in the Municipal Corporation having population more than Five lakh.
- (6) The Executive committee may sanction any estimate, the amount of which does not exceed rupees fifteen lakh, in the Municipal Corporation having population less than Five lakh.
- (7) The State Government, keeping in view the urgency and efficiency of corporation, may by notification, increase the financial limits specified in sub-section (1) to (6).
- (8) The determination of aforesaid financial rights, under this section shall also be applicable in relation to the resources of bodies, which includes its own income as well as grants-in-aid received from the State Finance Commission and Central Finance Commission. In addition to the above, the provisions contained in the order of administrative and financial approval issued by the Government in respect of the approved schemes under the State sector, Centre-funded program or the external aided program, shall be applicable."

Amendment of Section 136 of 3. In the Principal Act, for section 136, the following Section shall be substituted, namely-

- "Estimates exceeding rupees 25 lakh in the municipal corporation having population more than 5 lakh and exceeding rupees 15 lakh in the municipal corporation having population less than five lakh.*
136. (1) If any scheme made for the execution of work or group of works whose total estimate cost in the municipal corporation having population more than five lakh is exceeding Rupees twenty-five lakh and exceeding Rupees fifteen lakh in the municipal corporation having population less than five lakh, then-
- (a) The Municipal Commissioner shall cause a detailed report to be prepared including such estimates and maps as may be requisite and forward it to the Executive Committee. The Executive Committee shall submit the same before the Corporation with its suggestions, if any.
- (b) The Corporation shall consider the report and the suggestion and may reject the project or may approve it either in its entirety or subject to the modification.
- (2) The Municipal Corporation board have absolute right to sanction the financial approval of plan for cost above rupees twenty five lakh in the Municipal Corporation having population more then five lakh and above rupees fifteen lakh in the Municipal Corporation having population less than five lakh. There shall be no need to get prior approval of the State government, regarding above.
- (3) The State Government, keeping in view the urgency and efficiency of corporation, may by notification, increase the financial limits specified in sub-section (1) or (2).

Explanation: In this Section and in Section 135 the word "estimate" means the total estimate for whole Scheme which includes all transactions which in whole makes scheme.

(4) The determination of aforesaid financial rights, under this Section shall also be applicable in relation to the resources of bodies, which includes its own income as well as grants-in-aid received from the State Finance Commission and Central Finance Commission. In addition to the above, the provisions contained in the order of administrative and financial approval issued by the Government in respect of the approved Schemes under the State sector, Centre funded program or the external aided program, shall be applicable."

By Order,

D.P. GAIROLA,
Principal Secretary.