
Act 9 of 2003

Keyword(s):
Consumer, Municipal Fund

Amendments appended: 7of 2004, 35 of 2005
ASSAM ACT NO IX OF 2003


Date: 3rd May, 2003

Framed and enacted by the Assam Legislative Assembly, in the year 2003.

THE GUWHATI MUNICIPAL CORPORATION (AMENDMENT) ACT, 1969.

Whereas it is expedient further to amend the Guwahati Municipal Corporation Act, 1969,

It is hereby enacted in the Fifty-Fourth Year of the Republic of India as follows:

1. (1) This Act may be called the Guwahati Municipal Corporation (Amendment) Act, 2003.

2. It shall have the same extent as the principal Act.

3. It shall come into force immediately after its publication in the Official Gazette.

In the principal Act, in Section 96,-

(i) in the marginal note, for the words “fifty thousand”, appearing after the words “rupees”, the words “ten lakhs” shall be substituted;

(ii) in sub-section (1), for the words “fifty thousand”, appearing after the words “exceeds” and “rupees”, the words “ten lakhs” shall be substituted;

(iii) in sub-section (2), in clause (a), for the words “five lakhs”, appearing in between the words “exceeds” and “of”, the words “fifteen lakhs” shall be substituted.

In the principal Act, in Section 97,-

(i) in sub-section (1), in clause (c) for the words “ten thousand”, appearing in between the word “exceeding” and “rupees”, the words “ten lakhs” shall be substituted;

(ii) in sub-section (1), in clause (d), for the words “fifty thousand” appearing in between the words “exceeding” and “rupees”, the words “fifteen lakhs” shall be substituted.

In the principal Act, in Section 99,-

(i) in sub-section (1), for the words “fifty thousand”, appearing in between the words “exceeding” and “rupees”, the words “ten lakhs” shall be substituted;

In the principal Act, in Section 104,-

(i) in clause (a), for the words “one hundred thousand”, appearing in between the word “exceeding” and “rupees”, the words “ten lakhs” shall be substituted;
in clause (b), in the 6th line, for the words "five thousand", appearing in between the words "exceeds" and "rupees", the words "thirty thousand" shall be substituted;

(ii) in clause (b), in the last line, for the words "three thousand", appearing in between the words "exceeds" and "rupees", the words "twenty thousand" shall be substituted.

Amendment of Section 146.

7. In the principal Act, in Section 146, in the proviso, the words "or increasing" appearing in between the words "reducing" and "the rates" shall be deleted.

Amendment of Section 223.

9. In the principal Act, in Section 223, in subsection (2), the words "initially" out of Municipal Fund and shall be reimbursable", appearing in between the words "paid" and "by" shall be deleted.

ARVIND DAVE
GOVERNOR OF ASSAM.

K. D. PHUKAN,
Secretary to the Govt. of Assam,
Legislative Department.

AN ACT

further to amend the Guwahati Municipal Corporation Act, 1969.

Preamble

Whereas it is expedient further to amend the Guwahati Municipal Corporation Act, 1969, hereinafter referred to as the principal Act, in the manner hereinafter appearing; It is hereby enacted in the Fifty-fourth year of the Republic of India as follows:

1. (1) This Act may be called the Guwahati Municipal Corporation (Amendment) Act, 2003.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of section 46.

2. In the principal Act, for section 46, the following section shall be substituted, namely:

46. A person shall not be qualified to be chosen as a Councillor unless:

(i) His name is registered as an elector in an electoral roll for any ward in the city, and

(ii) He furnishes a declaration in the form of an Affidavit, in the format as appended in the Sixth Schedule, at the time of filing nomination paper, containing the following information, which shall be made public by the respective returning officers by displaying a copy of the Affidavit on the Notice Board of his office:

(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 month of filing of nomination whether the candidate is accused in any pending case, of offence punishable with imprisonment for a term of two years or more, and in which charge is framed; cognizance has been taken by the Court. If so, details thereof;

(c) The assets (immovable, movable, bank balances etc) of a candidate and of his/her spouse and, that dependant;

(d) Liabilities, if any, particularly whether there are overdues of any public Financial Institutions Government dues;

(e) The educational qualifications of candidate.

3. In the Principal Act, after the Fifth Schedule, following Schedule shall be inserted, namely:

SIXTH SCHEDULE

Affidavit to be furnished by candidate along with nomination papers before the Returning Officer for election to Guwahati Municipal Corporation as a Councillor of the District..............Ward No..............Nait if any

I..................................................son/daughter
wife of........................................age..................year
resident of.......................................................

candidate at the above election, do hereby solemnly affirm and state on oath as under:

(Strike out whichever not applicable)

(i) I have in the past, been convicted of a criminal offence in the following case (s) and the details are as under:

(i) Case No.

(ii) Section of the Act and description of the offence which convicted.
(iii) Date(s) of conviction.
(iv) Court(s) by which convicted,
(v) Punishment imposed (indicate period of imprisonment awarded and/or quantum of fine imposed).
(vi) Details of appeals/revision, etc. filed against above conviction(s),
(2) That I have in the past been discharged/acquitted in the following cases -:
(i) Section of the Act and description of the offence with which charged.
(ii) Case No.
(iii) Name of the Court by which acquitted/discharged,
(iv) Date of acquittal/discharge.
(v) Details of appeal(s)/application(s) for revision/review, if any filed against above acquittal/discharge.
(3) That I have, in the period ending six months prior to the date of filing the present nomination, been accused of the following offences punishable with imprisonment with two years or more, and in which a charge has been framed or cognizance taken by the Court as indicated hereunder:

(Note: This excludes the cases mentioned in (1) and (2) above)
(i) Section of the Act and description of the offence with which charged/cognizance taken:
(ii) The Court which has framed the charge/taken cognizance:
(iii) Case No.
(iv) Date of the order of the Court framing charge/taking cognizance:
(v) Details of appeal(s)/application(s) for revision, etc. if any, filed against above order framing charge/taking cognizance
(4) That I give hereinbelow the details of the assets (Immovable, Bank balance, etc.) of myself, my spouse and dependents:
A. Details of moveable assets -:
Assets in joint name indicating the extent of joint ownership shall have to be given -:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Description</th>
<th>Self Name(s)</th>
<th>Dependent 1</th>
<th>Dependent 2</th>
<th>Name:</th>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Cash</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Deposit in Banks, Financial Institutions and Non-Banking Financial Companies,</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Bonds, Debentures and Shares in Companies.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Other Financial Instruments, NSS, Postal Savings, LIC Policies, etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Motor Vehicles (Details of make, etc.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Jewellery (give details of weight and value),</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Other assets, such as values of claims/interests.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note:- 1. Dependant here means a person substantially dependent on the income of the candidate.
2. Value of Bonds/Shares/Debentures as per the latest market prices.
3. Value of non-listed companies should be given as per bl.
(i) Agricultural Land
   - Location(s)
   - Survey number(s)
   - Extent (Total measurement)
   - Current market value.

(ii) Non-Agricultural Land
   - Location(s)
   - Survey number(s)
   - Extent (Total measurement)
   - Current market value.

(iii) Buildings (Commercial and residential)
   - Location(s)
   - Survey/Door number(s)
   - Extent (Total measurement)
   - Current market value.

(iv) Houses/Apartments, etc.
   - Location(s)
   - Survey/Door number(s)
   - Extent (Total measurement)
   - Current market value.

(v) Other (Such as interest in property).

(5) I give hereinbelow the details of my liabilities/overdues to public financial institutions and Government dues:

(6) I give separate details for each item.

(Note: Please give separate details for each item)
VERIFICATION

I, the deponent abovenamed, do hereby verify and declare that the contents of this declaration are true correct to the best of my knowledge and belief; no part of it is false and nothing materials has been concealed therefrom.

Verified at .................................................. this the..................................................
................................................................................................................. day of .................................................. 200.
.................................................................................................................

DEPONENT:

Place..................................................

Verified before me

(Signature of Verifying Authority with Seal).

Date..................................................

Repeal and Saving.

4. (1) The Guwahati Municipal Corporation, Assam (Amendment) Ordinance, 2003 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the ordinance so repealed shall be deemed to have been done or taken under the corresponding provisions of this Act.

M. K. DEKA,
Commissioner & Secretary to the Govt. of Assam,
Legislative Department, Dispur.

GUWAHATI: Printed & Published by the Dy. Director (P&S), Directorate of Ptg. & Stty.,
THE GUWAHATI MUNICIPAL CORPORATION (AMENDMENT) ACT, 2005

AN ACT

further to amend the Guwahati Municipal Corporation Act, 1969

Whereas it is expedient further to amend the Guwahati Municipal Corporation Act, 1969, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Fifty-sixth year of Republic of India as follows:

1. (1) This Act may be called the Guwahati Municipal Corporation (Amendment) Act, 2005.
   (2) It shall have the like extent as the principal Act.
   (3) It shall come into force at once.

2. In the principal Act, in section 20, 
   (i) in clause (iii), the words and comma "Public Health", shall be omitted;
   (ii) after clause (v), the following new clause (vi) shall be inserted, namely:
       "(vi) Public Health, Sanitation and Environment."

3. In the principal Act, in section 94, the punctuation mark ",", occurring at the end, shall be omitted and thereafter the following shall be inserted, namely:
   "or by Public-Private-Partnership (PPP) mode or Joint Venture."

M.K. DEKA,
Commissioner & Secy. to the Govt. of Assam,
Legislative Department, Dispur.

GUWAHATI: Printed & Published by the Dy. Director (P&S), Directorate of Ptg. & Sty.,