The Uttar Pradesh Nagar Mahapalika (Sanshodhan) Adhiniyam, 1963
Act 17 of 1963

Keyword(s):
Uttar Pradesh Nagar Mahapalika Act, 1959

THE UTTAR PRADESH NAGAR MAHAPALIKA (SANSHODHAN) ADHINIYAM, 1963*

(U. P. ACT NO. XVII OF 1963)

(Authoritative English text of the Uttar Pradesh Nagar Mahapalika (Sansthodhan) Adhiniyam, 1963.)

AN ACT

to amend the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 for the purpose hereinafter appearing.

IT IS HEREBY enacted in the fourteenth year of the Republic of India as follows:

1. This Act may be called the Uttar Pradesh Nagar Mahapalika (Sansthodhan) Adhiniyam, 1963.

2. In sub-section (1) of section 580 of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959, for the words “four years” the words “five years” shall be substituted.

(*For Statement of Objects and Reasons, please see U. P. Gazette Extraordinary, dated September 12, 1963.)

(Passed in Hindi by the Uttar Pradesh Legislative Council on September 18, 1963 and by the Uttar Pradesh Legislative Assembly on September 25, 1963.)

(Received the Assent of the Governor on September 28, 1963 under Article 200 of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated September 29, 1963.)

(Published in the Uttar Pradesh Gazette Extraordinary, dated September 29, 1963.)
AN ACT

to amend further the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 for certain purposes

IT IS HEREBY enacted in the Fifteenth Year of the Republic of India as follows:

1. This Act may be called the Uttar Pradesh Nagar Mahapalika (Sanshodhan) Adhiniyam, 1964.

2. For clause (22) of section 2 of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 (hereinafter referred to as the principal Act) the following shall be substituted:

“(22) ‘essential service’ means a service referred to in section 112-B.”

3. In sub-section (1) of section 7 of the principal Act, for the words “as determined at the last census held under the provisions of the Census Act, 1948”, the words “as ascertained at the last preceding census of which the relevant figures have been published” shall be substituted.

4. For section 18 of the principal Act the following shall be substituted:

“18. The Nagar Pramukh and the Upa Nagar Pramukh may be given such allowances or facilities as the Mahapalika may, with the previous approval of the State Government, fix.”

5. After section 30 of the principal Act the following new section 30-A shall be inserted:

“30-A. The Sabhasads and Vishishta Sadasyas may be paid such conveyance allowance, or be given such facilities in lieu of conveyance allowance, for attendance at meetings of the Mahapalika and its committees as may be provided by rules.”

(*For statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated August 5, 1964.)

(Passed in Hindi by the Uttar Pradesh Legislative Council on August 11, 1964 and by the Uttar Pradesh Legislative Assembly on August 19, 1964.)

(†Received the Assent of the President on September 28, 1964 under Article 201 of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated September 28, 1964.)
6. In section 31 of the principal Act—

(i) in sub-section (2), for the words "as ascertained at the last census held under the provisions of the Census Act, 1948", the words "as ascertained at the last preceding census of which the relevant figures have been published or as determined in the manner provided in sub-section (3)" shall be substituted; and

(ii) after sub-section (2) the following new sub-section (3) shall be inserted:—

"(3) Where, in the opinion of the State Government, the population of any area in a City to be comprised in a ward cannot readily be ascertained from the census figures mentioned in sub-section (1), the State Government may, by notification in the official Gazette, direct that such population shall be determined by multiplying the number of voters entered in the Assembly rolls relatable to that area by the total population of the area comprised in the City as ascertained at such census and then dividing the product by the total number of voters entered in the Assembly rolls relatable to the area comprised in the City.

Explanation—In this sub-section ‘Assembly rolls’ means the Assembly rolls in force on such date as may be specified in the notification."

7. In sub-section (1) of section 32 of the principal Act—

(i) in clause (c), for the word "seats", the words "seat or seats" shall be substituted and for the word "क्षेत्र" the word "क्षेत्र" shall be substituted; and

(ii) for clause (d) the following shall be substituted:—

"(d) whether the seat, or any of the seats allotted to a ward is reserved for the Scheduled Castes."

8. In clause (a) of sub-section (3) of section 63 of the principal Act, the words "clause (b) of" shall be deleted.

9. In section 85 of the principal Act—

(1) for sub-section (1) the following shall be substituted:—

"(1) Notwithstanding anything contained in the Indian Oaths Act, 1873, every person who is elected a Sabhasad or a Vishishta Sadasya or co-opted as a member of the Development Committee and every person who is elected a Nagar Pramukh shall before taking his seat make an oath or affirmation in the following form, namely:

[I, A.B., having been elected Sabhasad / Vishishta Sadasya / Nagar Pramukh / Co-opted member of the Development Committee solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.]"
(2) after sub-section (1) the following new sub-section shall be inserted:

"(1-A). Within seven days of the constitution under section 9 or reconstitution under section 538 or section 539 of the Mahapalika the Mukhya Nagar Adhikari shall convene a meeting of the Nagar Pramukh, Sabhasads and Vishishta Sadasyas who have been declared elected. The Commissioner of the Division and in his absence the District Magistrate shall administer the oath or affirmation to the Nagar Pramukh and thereafter the Nagar Pramukh shall administer the oath or affirmation to such Sabhasads and Vishishta Sadasyas as may be present."

10. In section 88 of the principal Act—

(i) in sub-section (2) the following shall be inserted at the end:

"The meeting on such requisition shall be convened within fifteen days from the date of delivery or service thereof."

(ii) after sub-section (2) the following new sub-sections shall be inserted:

"(2-A). Notwithstanding anything contained in sub-section (2), where a meeting has already been called to be held within a period of fifteen days from the date of delivery or service of a requisition, the Nagar Pramukh or Upa Nagar Pramukh, as the case may be, may, instead of calling a separate meeting upon that requisition, include, subject to the provisions of sub-section (1) of section 91, the matters mentioned in such requisition in the list of business to be transacted at the meeting already called and thereupon such meeting shall be deemed to be a meeting convened on that requisition as well.

(2-B). The Nagar Pramukh or the Upa Nagar Pramukh, as the case may be, may, for reasons to be recorded, postpone a meeting, other than a meeting convened on requisition of members, by giving such notice as may be provided by bye-laws in this behalf."

11. In section 107 of the principal Act—

(i) For the first paragraph of sub-section (1) the following shall be substituted:

"Appointments to the posts of Upa Nagar Adhikari, Sahayak Nagar Adhikari, Nagar Abhiyanta, Nagar Swasthya Adhikari, Mukhya Nagar Lekha Parikshak and to other posts carrying an initial salary of not less than rupees five hundred per mensem shall be made by the Nagar Pramukh after consultation with the State Public Service Commission in the manner prescribed and not otherwise."
(ii) for the first sentence of sub-section (2) the following shall be substituted:

“Appointments to other posts carrying an initial salary of not less than rupees two hundred per mensem shall be made after consultation with the State Public Service Commission in the manner prescribed and not otherwise.”;

(iii) in sub-section (5) for the word and figure “Rs. 50” the words “rupees fifty per mensem” shall be substituted.

12. After section 112 of the principal Act the following shall be added as new sections 112-A to 112-D:

“112-A. (1) Notwithstanding anything contained in sections 106 to 110, the State Government may at any time by rules provide for the creation of one or more services of such officers and servants as the State Government may deem fit, common to the Mahapalikas or to the Mahapalikas and Municipal Boards of the State, and prescribe the method of recruitment and conditions of service of persons appointed to any such service.

(2) When any such service is created, officers and servants serving on the posts included in the service may, if found suitable, be absorbed in the prescribed manner in the service.

112-B. The following services of the Mahapalika shall be essential services, namely:

(a) medical and public health services;
(b) water works and mechanical engineering services;
(c) sweepers;
(d) staff of the lighting department;
(e) transport services; and
(f) such other services as may be specified in the rules.

112-C. No member of an essential service shall—

(a) resign his office or withdraw or absent himself from the duties thereof, except—

(i) after obtaining written permission from the Mukhya Nagar Adhikari or any officer authorised by him in this behalf; or
(ii) in the event of illness or accident disabling him from the discharge of his duties or for such other reasons as the Mukhya Nagar Adhikari or officer authorised by him in this behalf may consider sufficient; or

(iii) after giving three months notice in writing to the Mukhya Nagar Adhikari; or

(b) neglect or refuse to perform his duties or wilfully perform them in a manner which, in the opinion of the Mukhya Nagar Adhikari or such other officer, as aforesaid, is inefficient.

112-D. (1) If the State Government is of the opinion that the stoppage or the cessation of the performance of any of the essential services will be prejudicial to the safety or health or to the maintenance of services essential to the life of the community in the City it may, by notification in the official Gazette, declare that an emergency exists in the City and specify the period for which such declaration shall be in operation.

(2) While a declaration of emergency under sub-section (1) is in operation no member of such of the essential services as may be specified in the notification shall, notwithstanding any law or agreement to the contrary for the time being in force—

(a) withdraw or absent himself from his duties except in the event of illness or accident disabling him from the discharge of his duties; or

(b) neglect or refuse to perform his duties or wilfully perform them in a manner which in the opinion of such officer as the State Government may specify in this behalf is inefficient.”

13. In sub-section (2) of section 113 of the principal Act—

(i) in clause (c) after the word “Mahapalika” a semi-colon shall be substituted for the comma and the word “and” and the comma occurring thereafter shall be deleted;

(ii) in clause (f) for the fullstop at the end a semi-colon shall be substituted and thereafter the word “and” shall be added,

(iii) after clause (f) the following new clause shall be inserted:

“(g) the creation of municipal services under section 112-A and recruitment thereto, absorption of existing officers and servants therein, and transfer, leave, punishment, including dismissal and removal, appeal and other disciplinary matters and other conditions of service of such officers and servants.”
14. For sub-section (5) of section 129 of the principal Act, the following shall be substituted:—

“(5) The consideration for which any immovable property or any right, title or interest therein belonging to the Mahapalika may be sold, leased or otherwise transferred shall not be less than the current market value thereof:

Provided that in the case of lease or sale of land for educational, cultural or charitable purposes in favour of a society registered under the Societies Registration Act, 1861 or a statutory corporation a concession not exceeding half the annual rental value in the case of lease or half the total market value in any other case may be allowed subject to the condition that the total value of the concession so allowed does not exceed ten thousand rupees:

Provided further that a concession exceeding the limits specified in the last preceding proviso may be allowed by the Mahapalika with the prior approval of the State Government.

Explanation—If any question arises as to the value of a proposed concession or as to whether the purpose of a proposed transfer is an educational, cultural or charitable purpose, the decision of the State Government shall be binding on the Mahapalika.”

15. In sub-section (2) of section 139 of the principal Act for the words “or such other scheduled bank or banks as the Mahapalika may, with the previous sanction of the State Government, appoint,” the words “or with the previous sanction of the State Government into the U. P. Co-operative Bank or such other scheduled bank or banks as the Mahapalika may appoint,” shall be substituted.

16. After section 152 of the principal Act the following shall be inserted as new section 152-A:—

“152-A. (1) The Nagar Pramukh, Upa Nagar Pramukh, and every member, officer and servant of the Mahapalika shall be liable to surcharge for the loss, waste or misapplication of any money or property of the Mahapalika, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while acting as such Nagar Pramukh, Upa Nagar Pramukh, member, officer or servant.

(2) The procedure of surcharge and the manner of recovery of the amount involved in loss, waste or misapplication shall be such as may be prescribed by rules.

(3) Where no surcharge proceedings are taken the Mahapalika may with the previous sanction of the State Government institute a suit for compensation against such Nagar Pramukh, Upa Nagar Pramukh, member, officer or Servant.”
17. In clause (e) of section 153 of the principal Act the word “and” occurring after the word “published” shall be substituted by a comma, and between the word “surcharge” and the semicolon occurring thereafter the words “and the manner in which surcharge proceedings will be undertaken” shall be inserted.

18. In sub-section (2) of section 211 of the principal Act the full-stop occurring at the end shall be substituted by a colon and thereafter the following shall be inserted as a proviso:

“Provided that where as a result of any order or adjudication of a court of law the new assessment list or any portion thereof cannot take effect, the old assessment list or the corresponding portion thereof shall, subject to such order or adjudication, be deemed to have continued to be effective.”

19. In section 213 of the principal Act—

(1) in the proviso to sub-section (1) and in sub-section (3) immediately after the word “alteration” wherever occurring the words “or amendment” shall be inserted;

(2) after sub-section (1) the following new sub-section (1-A) shall be inserted and shall be deemed always to have been inserted:

“(1-A). For the removal of doubts it is hereby declared that it shall not be necessary to follow the procedure laid down in sections 199 to 203 or in sections 207 to 210 in respect of any alteration made under clause (e) of sub-section (1) as a result of a determination of the rate of tax under section 148.”

20. In section 365 of the principal Act—

(i) in sub-section (1) for the words “by the State Government” the words “under this Chapter” shall be substituted;

(ii) in sub-section (2) for the words “by Government” the words “under this Chapter” shall be substituted;

(iii) in sub-section (4) after the existing proviso the following shall be added and shall be deemed always to have been added as a second proviso:

“Provided further that in relation to any improvement scheme notified under section 42 of the U. P. Town Improvement Act, 1919, or section 60 of the Cawnpore Urban Area Development Act, 1945, this sub-section shall be so construed as if for the words “within a period of five years from the date of the notification of the scheme under section 363’ the words “on or before the thirty-first day of December, 1967” were substituted.”
21. After section 367 of the principal Act the following shall be added as new section 367-A:

"367-A. The Mahapalika may at any time with the prior approval of, and in accordance with such conditions as may be imposed by the State Government, abandon any scheme notified under section 42 of the U. P. Town Improvement Act, 1919, section 60 of the Cawnpore Urban Area Development Act, 1945 or section 363 of this Act, and upon such abandonment, any land in respect of which the acquisition is not complete up to the stage of making of award, and the owner and occupier of such land, shall cease to be subject to any liabilities under this Chapter."

22. For clause (a) of sub-section (1) of section 417 of the principal Act the following shall be substituted:

"(a) make any vault or grave or interment within any wall of any place of worship or underneath any passage, porch, portico, plinth or verandah of any such place".

23. After section 464 of the principal Act, the following new section shall be added:

"464-A. Whoever acts or abets the commission of an act which is in contravention of the provisions of section 112-C or section 112-D shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both."

24. In sub-section (2) of section 472 of the principal Act—

(i) in clause (b) for the words "to the Mukhya Nagar Adhikari as provided under this Act and such objection has been disposed of" the words and figure "and has been disposed of under section 209" shall be substituted;

(ii) for clause (d) the following shall be substituted:

"(d) in the case of an appeal against any amendment or alteration made in the assessment list for property taxes under sub-section (1) of section 213, an objection has been made in pursuance of a notice issued under the proviso to the said sub-section and such objection has been disposed of;"

25. In section 473 of the principal Act—

(i) in clause (a) for the words "to the Mukhya Nagar Adhikari against such value" the words and figure "against such value under section 209" shall be substituted.

(ii) in clause (b) for the words "the said section" the word and figure "section 472" shall be substituted;
(iii) for clause (c) the following shall be substituted:—

"(c) In the case of an appeal against any amendment or alteration made in the assessment list for property taxes under sub-section (1) of section 213, on the day when the objection made in pursuance of a notice issued under the proviso to the said sub-section is disposed of;"

26. In sub-section (1) of section 492 of the principal Act, between the word "section" and the figure "417" the figures, letters and words "112-C, section 112-D or section" shall be inserted.

27. After section 571 of the principal Act, the following shall be added as new sections 571-A and 571-B:

"571-A. A copy of any receipt, application, plan, notice, order, entry in a register or other document in the possession of a Mahapalika shall, if duly certified by the legal keeper thereof or a person authorised by the Mukhya Nagar Adhikari in this behalf, be received as prima facie evidence of the existence of the entry or document and shall be admitted as evidence of the matters and transactions therein recorded in every case where, and to the same extent as, the original entry or document would, if produced, have been admissible to prove such matters.

571-B. No Mahapalika officer or servant shall in any legal proceedings to which a Mahapalika is not a party be required to produce any register or document the contents of which can be proved under the last preceding section by a certified copy or to appear as a witness to prove the matter and transactions recorded therein unless by order of the Court made for special cause."

28. In section 577 of the principal Act, after clause (e), the following shall be inserted and shall be deemed always to have been inserted as a new clause:—

"(ee) For so long as the posts mentioned in section 106 are not created by the Mahapalika and formal appointments are not made thereto as provided in this Act—

(1) the Mukhya Nagar Adhikari shall be competent to make such changes in the designations of the existing officers and servants mentioned in clause (e) as may be necessary having regard to the provisions of this Act and the rules made thereunder, and the officers and servants so designated shall be competent to exercise and perform the powers, duties and functions assigned to them under the Act and the said rules:

Provided that a copy of every order of the Mukhya Nagar Adhikari made under this sub-clause shall be
sent to the State Government which may make such modifications therein as may be necessary or desirable;

(2) such officer or officers of the State Health Service as the State Government may nominate or designate in this behalf shall function as Nagar Swasthya Adhikari or as Nagar Swasthya Adhikaris under the Act;

(3) servants of the State Government who are on deputation with the said Municipality, Improvement Trust, Development Board or local authority immediately before the appointed day shall, notwithstanding anything contained in sections 106 and 107, be deemed to be on deputation with the Nagar Mahapalika:

Provided that the State Government may, at any time, of its own accord or on a request being made by the Mahapalika withdraw any such officer or substitute any such officer by a new officer.”
THE UTTAR PRADESH NAGAR MAHAPALIKA (SANSHODHAN) ADHINIYAM, 1970
(U. P. ACT No. 8 OF 1970)

[*Authoritative English Text of the Uttar Pradesh Nagar Mahapalika (San-
shodan) Adhiniyam, 1970].

AN

ACT

further to amend the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 and

It is hereby enacted in the Twenty-first Year of the Republic of India as
follows:—

1. This Act may be called the Uttar Pradesh Nagar Mahapalika (Sansho-

2. In section 208 of the Uttar Pradesh Nagar Mahapalika Adhiniyam,
1959, hereinafter referred to as the principal Act, for the words "When the
assessment list has been prepared" the words "When assessment list for the
whole of the City or of any ward thereof containing the particulars mentioned
in clauses (a) to (e) of section 207 has been prepared" shall be substituted,
and for the words, "the list", wherever occurring, the words "that list" shall be
substituted.

3. In section 209 of the principal Act, in sub-section (1), for the words
"entered therein" the words and figures "entered in the list mentioned in
section 208" shall be substituted.

4. For section 210 of the principal Act the following section shall be
substituted, namely:—

"210. (1) After the disposal of all objections pertaining to the list
for the City of any ward thereof, as the case may be, the Chairman of
the Committee or of the Sub-Committee concerned, if any, shall authenti-
cate by his signature that list as well as all amendments made therein
under sub-section (3) of section 209.

(2) Every list so authenticated shall be deposited in the office of the
Mahapalika.

(3) As soon as the list for the entire City is so deposited it shall be
declared by public notice to be open for inspection."

5. In section 211 of the Principal Act, in sub-section (2) for the words
"until the first day of April next following the completion of the new list" the
words "until the first day of April or the first day of October next following
the completion of the new list, whichever is earlier" shall be substituted.

6. In the Uttar Pradesh Nagar Mahapalika (Alpakalik Vyavastha) Adhi-
niyam, 1966, in the opening paragraph of section 2 for the words "three years
and eleven months" the words "four years and eleven months" shall be
substituted.

7. The Uttar Pradesh Nagar Mahapalika (Sandhodhan) Adhyadesh, 1969
is hereby repealed.

*For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary),
dated March 4, 1970.

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on March 11, 1970 and by
the Uttar Pradesh Legislative Council on March 21, 1970.)

(Received the Assent of the Governor on March 31, 1970 under Article 200, of the Consti-
tution of India, and was published in the Uttar Pradesh Gazette (Extraordinary), dated
April 2, 1970).
उत्तर प्रदेश नगर महापालिका (संशोधन) प्रावधिकार, 1972
(उत्तर प्रदेश प्रावधिकार संप्रदय 1972)
(उत्तर प्रदेश विधान सभा में विनिमय 1-4-1972 हैं तथा उत्तर प्रदेश विधान परिषद में विनिमय 10-4-1972 हैं की बैठक में स्वीकृत किया ।)
‘भारत का संविधान’ के अनुसार व 201 के अंतर्गत राष्ट्रपति ने विनिमय 30-4-1972 हैं की स्वीकृति प्रावधि की यथा उत्तर प्रदेश सरकारी अतिरिक्त ग्रंथ में विनिमय 1 मई, 1972 हैं को प्रसाधित हुआ।

उत्तर प्रदेश नगर महापालिका प्रावधिकार, 1959 में भारत संविधान कर्ते के लिए प्रावधिकार

भारत संविधान के संस्करण वर्ष में निर्माणित भारतांतर्गत बनाया जाता है:—

1—यह प्रावधिकार उत्तर प्रदेश नगर महापालिका (संशोधन) प्रावधिकार, 1972 कहलायेगा।

2—उत्तर प्रदेश नगर महापालिका प्रावधिकार, 1959, जिसे पहिले मूल प्रावधिकार कहा गया है,
की पारा 2 में कवर (54) के स्वातन्त्र पर निर्माणित कवर रख दिया जाय, प्रथमः—

"(54) "मृत मुखिया" का तात्त्विक किशी यूमिया या भवत से है,"

3—मूल प्रावधिकार की पारा 129 में, उपाधि (5) के स्वातन्त्र पर निर्माणित उपाधियािं

dी जाए, प्रथमः—

"(5) उपाधि (5-क) और (5-ख) में सर्वस्वतिक के सिवाय, महापालिका
की कोई प्रावधि सम्पति उस पर्याय हो निर्माणित को यूमिया बेची जान, पत्री पर दी
जाय या प्रावधि प्रकार से हुआ निर्माणित की जाय, उसके बावजूद यूमिया से बम गतनातिक पर न
tो बेची जायेगी, न पत्री पर दी जायेगी और न प्रावधि प्रकार से उसका हुआ
जायाम्।

उद्देश्य और कारणों के विवरण के लिये यहाँ विनिमय 1 अगस्त, 1972 हैं का सरकारी
अतिरिक्त ग्रंथ बेंयाली।

Price 15 Paise
(क) कोई परिनियति निकामः।

(ख) कोई ऐसा व्यक्ति जो किसी ऐसी मूम्य (जो क्रूणे, ब्राह्मणक्रिया या पृथ्वी-पालन जिसके प्रति नकया, समय-पालन तथा कुन्दल-पालन भी है, से सम्बन्धित प्रवृत्तियों के सिद्धे न्यथा या साफाहित न हो) या मन्दन देते, इस साधनियम के प्रवृत्ति उसके प्रवृत्ति रूप से प्रवृत्ति किये जाने के कारण, निरस्त किया हो और जिसके पास नामांक न कोई दुनिया मूम्य या मन्दन न हो, या

(ग) सोसाइटी रजस्तुकिरण अप्रतिष्ठितम, 1860 के प्रभृति रजस्तुकिरण दिसकी सोसाइटी की भीतरी, साथी साथी अथवा दुनिया पूर्व प्रवृत्तियों के लिये (जिनके प्रति नकये नहीं किसी दुनिया के क्रूणे प्रवृत्ति या सक्षम नहीं है) और जिसमें वरी, जाति या सम्पत्ति के धाराओं पर लाभार्थीयों के संघ भी नियम तथा होता हैः)

प्रतिस्पर्धा यह है कि दिवाल राज्य सरकार के पूर्वपुरुषों में से मूम्य को भेजें, पर्थें पर देने या दुनिया प्रकार से हृदयान्त्र करने की दशा में इस प्रकार दी गई किसी रियायत का मूल—

(1) पूर्व की दशा में, वाथि फिराया मूम्य के धारे से,

(2) किसी दुनिया हृदयान्त्र की दशा में, वाथि मूम्य के धारे से दस हृदयान्त्र रख रखे से, इसमें जो भी भाव हो, राथि के न होगा।

स्पष्टीकरणः यदि प्रतिबन्धित रियायती मूम्य के संघ में धारण यह संघ में कोई दुनिया खरी यसके प्रति नकये है ईसा किसी प्रतिबन्धित हृदयान्त्र का उपयुक्त से प्रवृत्ति कोई निरस्ति, साथी साथी अथवा दुनिया पूर्व प्रवृत्ति के लिये नहीं है, या नहीं, तो राज्य सरकार का निर्णय प्रतिपादित होगा।

(5-6) केन्द्रीय सरकार या राज्य सरकार या किसी दुनिया प्रमित्नकार द्वारा स्वीकृत कहीं दुनिया से महाप्राप्ति द्वारा बनाया गया कोई दुनिया या दुनिया मूम्य या दुनिया पूर्व प्रवृत्ति के लिये निरस्ति हो या न हो, तो राज्य सरकार का निर्णय प्रतिपादित होगा।

(5-6) राज्य सरकार का तथ्य किसी सामाजिक या निवेदन भाषा के प्रयोग से हुए, महाप्राप्ति द्वारा बनाया गया कोई दुनिया या मूम्य दुनिया एवं दुनिया पर जब दुनिया के दुनिया मूम्य का दुनिया मूम्य के दुनिया मूम्य के दुनिया द्वारा बनाया गया कोई दुनिया रख रखे है, या न हो, तो उसके ऐसे दायवा के रख जो उसकी क्रूणे के समय दुनिया प्रमित्नकार, निरस्ति पर दुनिया प्रमित्नकार, कह जैसा कि महाप्राप्ति उजर समय, आधा का सक्षम है, पूर्व पर दिया जा सकता है, या दुनिया प्रकार से हृदयान्त्र किया जा सकता है।

बारा 34478 बारा 348 में—

(1) उपाधि (1) के—

(ख) खरा (क) के प्रति निरस्ति निरस्ति निरस्ति निरस्ति खरा खरा दिया जाय, प्रवृत्ति—

"(क) उपाधि (क) के प्रति निरस्ति निरस्ति निरस्ति निरस्ति खरा खरा दिया जाय, प्रवृत्ति—

प्रतिबन्धय यह देता कि उसके प्रधान नाम महाप्राप्ति(संशोधन) प्रवृत्ति, 1972 से प्रधान नामे देरों के पूर्व प्रवृत्ति प्रवृत्ति किसी दशा में, ऐसी स्थान-सीमा, यदि यहीं ही निरस्ति न की गयी हों, उसके प्रवृत्ति के प्रधान नामे देरों के पर जब दुनिया के दशाओं पर दुनिया की समय समय के देखभाल दिया है, खरा पर दिया जा सकता है, या दुनिया प्रकार से हृदयान्त्र किया जा सकता है।

प्रतिबन्धय प्रतिबन्धय यह है कि ऐसी समय-सीमा जिसके प्रधान उसकी बंद भी है, यदि कोई हो, खरा 363 के प्रधान दशा की प्रवृत्ति प्रवृत्ति किये जाने के निरस्ति से किसी भी दशा में बीस भाग से प्रवृत्त न हो।"

(ख) खरा (ख) में, खरा "कोई भी बंदि" के तथ्य पर बारा "कोई भी बंदि" के प्रधान दशा की प्रवृत्ति प्रवृत्ति किये जाने के पर जब दुनिया की प्रवृत्ति, उसके प्रवृत्ति के समय-सीमा के भीतर" रख दिये जाये।
(2) उपाधार (3) के स्थान पर निम्नलिखित उपाधार रख दी जाय, श्रीमती—

“(3) नारी सड़क योजना के प्रलय काल में वाली किसी समस्या का स्वामी घर 363 के प्रथम योजना के प्रभावित किये जाने के पश्चात, किसी भी समय तक उससे निर्भर होने के समय-सीमा में मौजूद क्षेत्र का निरोधक देने का सपना है जिसका कोई भी क्रिया नहीं है, तुड़ुबुड़ी महामाया का तनाव ना देने का सपना है जिसके कोई भी क्रिया नहीं है। तथा वह ऐसा न कर सके तो ऐसे प्रतिकर्षण का माफ़िक करने को घर 372 में प्रसन्नकारक व्यवस्थापित गराया प्रतिनिधित्व तथा निर्णयों के उपस्थिति में अनुसरण व्यवस्था किया जाय।”

5—मूल प्रतिनिधित्व की घर 349 में; शब्द “तो वह मुख्य नगराधिकारिक से प्रेषणा कर सकती है” के स्थान पर शब्द “तो वह संकल्प द्वारा मुख्य नगराधिकारिक से प्रेषणा कर सकती है”, रख दिये गये हैं।

6—मूल प्रतिनिधित्व की घर 350 में—

(1) उपाधार (1) में; शब्द “संकल्प द्वारा मुख्य नगराधिकारिक से एक योजना दैनिक करने की प्रशंसा कर सकती है” के स्थान पर शब्द “वह संकल्प द्वारा मुख्य नगराधिकारिक से एक योजना दैनिक करने की प्रशंसा कर सकती है” रख दिये गये हैं।

(2) उपाधार (1) के प्रभाव के निम्नलिखित उप-उपाधार बढ़ा दी है, श्रीमती—

“(1—8) उन्हें संकल्प द्वारा योजना के निर्णयों के लिए समय-सीमा निर्भर की जाप्ति जिसे निकाल समस्या, समय-समय पर, संकल्प द्वारा बढ़ा सकती है:

प्रतिनिधि यह है कि उसका निर्धारण नगर महामाया (संस्थान) प्रतिनिधित्व, 1972 के प्रारंभ होने के पूर्व प्रभावित किसी योजना की दशा में, ऐसी समय-सीमा, यदि पहले ही निर्भर न गई हो सकती है, उन्हें प्रतिनिधि के प्रारंभ होने के पश्चात एक वर्ष तक मौजूद होगी निर्भर की समस्या के प्रभावित की जाप्ति बढ़ा सकती है:

प्रतिकर्षण यह है कि ऐसी समय-सीमा, जिसके प्रलय कर सकती है कि कोई ही, घर 363 के प्रथम योजना प्रभावित किये जाने के दिनकर से किसी भी दशा में प्रसन्नता न होगी;”

(3) उपाधार (4) में; शब्द “घर 365 के प्रथम योजना के प्रभावित किये जाने के पश्चात्” के स्थान पर शब्द “घर 363 के प्रथम ऐसी योजना प्रभावित किये जाने के पश्चात् किसी भी समय, किन्तु उनके निर्णय की समय-सीमा के भीतर” रख दिये गये हैं।

7—मूल प्रतिनिधित्व की घर 365 में; उपाधार (4) में—

(1) शब्द “उस प्रकार के प्रशंसा” तथा शब्द “प्रभावित किये जाने के बीच में शब्द “किसी भी लड़की योजना ना किसी नगर प्रारंभ योजना से मिले” बढ़ा दिये गये हैं और संदेश से खड़े गये हैं, रख दिये गये हैं; और

(2) उसके प्रतिकर्षण धरणों के स्थान पर निम्नलिखित प्रतिकर्षणान्तर [शब्द रख दिये जायें और संदेश से रखे रखे गये हैं, प्रतिविधि यह है कि—

(क) यूनाइटेड प्रतिनिधित्व टाउन इंडियम एंड, 1919 की घर 42 या कानपुर प्रतिनिधि परिषद विजयपुर एंड, 1945 की घर 60 के प्रभावित (भारी सड़क योजना या नगर प्रारंभ योजना से मिले) निर्भर किसी ऐसी विकास योजना के समर्थन में; जिसे घर 577 के बाद (र) के प्रमाण द्वारा प्रारंभ करने जा सकता है वाणी यह इस प्रतिनिधित्व के प्रथम प्रारंभ की गई है, उस उपाधार का ऐसा प्रबंध लागू करना आवश्यक बने होंगे। घर 363 के प्रथम योजना के प्रभावित किये जाने के दिनकर से पांच वर्ष की प्रवास के भीतर” के स्थान पर शब्द तथा शब्द “31 दिसम्बर, 1973 को या ऐसे दूसरे” रखे रखे हैं हों।

(ख) उपर देखने नगर महामाया (संस्थान) प्रतिनिधित्व, 1972 के प्रारंभ होने के पूर्व घर 363 के प्रथम प्रभावित किसी विकास योजना के समर्थन में इस उपाधार का ऐसा प्रबंध लागू करना आवश्यक बने होंगे, एवं पांच वर्ष के स्थान पर शब्द “सात वर्ष” रखे रखे हैं।
8—मूल प्राधिकरण की धारा 373 में—

(1) उपराधा (1) में शब्द "एक समापति तथा दो प्रतेषितों से मिलकर बनेगा" के स्थान पर शब्द "एक सदस्य का होगा जिसे पीठापन भार करेगा" रख दिये जायें;

(2) उपराधा (2) में शब्द "समापति" के स्थान पर शब्द "उद्देश्य सदस्य" रख दिये जायें, और उसका प्रतिनिधित्व का रख दिया जाये;

(3) उपराधा (3) में शब्द "स्वयंसंचारक के समापति तथा प्रतेषित" के स्थान पर शब्द "उद्देश्य सदस्य" और शब्द "पितः जायें" के स्थान पर शब्द "पितः जायें" रख दिये जायें;

(4) उपराधा (4), (5) और (6) के स्थान पर निर्देशित उपराधाएँ रख दी जायें; भव्यानुसार:

"(४) यदि किसी कारण से भव्याभिनिम्न के बीभाचारी का पद रिस्क हो जाय तो उन्हें राज्य सरकार पर प्रतिनिधित्व का रखेगा जायें। यदि किसी कारण से प्रतिनिधित्व न हो जाय तो राज्य सरकार पर प्रतिनिधित्व का रखेगा जायें।"

9—मूल प्राधिकरण की धारा 374 में शब्द "समापति तथा, प्रतेषित प्रतेषितों" के स्थान पर शब्द "बीभाचारी प्रतेषितों" रख दिये जायें।

10—मूल प्राधिकरण की धारा 375 में—

(1) उपराधा (1) में शब्द "स्वयंसंचारक का समापति" के स्थान पर शब्द "स्वयंसंचारक" रख दिया जायें।

(2) उपराधा (2) में शब्द "समापति द्वारा राज्य सरकार की पूर्व स्वीकृति" के स्थान पर शब्द "उद्देश्य राज्य सरकार द्वारा" रख दिये जायें।

11—मूल प्राधिकरण की धारा 378 निकाल दी जायें।

12—मूल प्राधिकरण की धारा 381 में—

(क) उपराधा (1) में शब्द "स्वयंसंचारक का समापति" के स्थान पर शब्द "स्वयंसंचारक" रख दिया जायें;

(ख) उपराधा (5) के स्थान पर निर्देशित उपराधा रख दी जायें, और सूचना के रक्षा के लिए उपराधा (5) के स्थान पर शब्द "प्रभावी प्रतिनिधितव का रख करेगा" रख दिये जायें, और सूचना के रक्षा के लिए उपराधा (5) के स्थान पर शब्द "प्रभावी प्रतिनिधितव का रख करेगा" रख दिये जायें, और सूचना के रक्षा के लिए उपराधा (5) के स्थान पर शब्द "प्रभावी प्रतिनिधितव का रख करेगा" रख दिये जायें।

"(क) उपराधा (5) के स्थान पर शब्द "प्रभावी प्रतिनिधितव का रख करेगा" रख दिया जायें, और सूचना के रक्षा के लिए उपराधा (5) के स्थान पर शब्द "प्रभावी प्रतिनिधितव का रख करेगा" रख दिये जायें, और सूचना के रक्षा के लिए उपराधा (5) के स्थान पर शब्द "प्रभावी प्रतिनिधितव का रख करेगा" रख दिये जायें।"
13—किसी न्यायालय या न्यायाधिकरण के किसी निदेशक, दिनता या भ्राता में थी गयी किसी प्रतिष्ठित बात के होते हुए भी, इस प्रतिनिधित्व के प्रारम्भ होने के पूर्व, मूल प्रतिनिधित्व की धारा 385 या धारा 577 के बाद (g) में प्रभावव्रत विकास योजना के लिए सूचना या उसके स्वरूप का चर्चा करने के समान्य में किया गया कोई सम्बन्ध या जो गयी कोई कार्यवाही, जिसके तत्त्वांत ज्ञात की गयी कोई आंशिक सूचना, की गयी कार्यवाही, दी गयी धारा या दिया गया प्रभावव्रत प्रतिरोध किया गया सबबों भी है, वैसे समझी जायगी, जोर सर्वेक्षण से इस प्रकार दृष्टि होगी, मानो इस प्रतिनिधित्व के उपर्युक्त सभी सार्वजनिक समयों पर प्रवृत्त थे, जोर ऐसी प्रतिरोध कार्यवाहिया, जिद कोई हो, जो प्रभावित हो, उद्देश्य की जा सकती है:

प्रतिवन्ध यह है कि किसी ऐसी नृत्य या नृत्य में स्वरूप की दशा में जो ऐसी विचार सूचना की नीति हो, मूल प्रतिनिधित्व (एजुला) या धारा 14 में प्रभावव्रत न्यायाधिकरण, वैध प्रतिनिधि के उपवक्त के प्रभावों के प्रभाव रूप से होता है—

(क) यह समाजवाद हो जाने पर, जिद मूल प्रतिनिधित्व, जैसा कि वह इस प्रतिनिधित्व द्वारा संस्थापन के पूर्व था, की धारा 385 की उपवक्त (4) में या उसके भविष्य, यथाविविध, निर्देश प्रबंध या बड़ा गयी गयी प्रबंध, की समाप्ति के पश्चात्, सत्याग्रह से दौरे प्रतिवन्ध के लिए, किसी धर्म व्यक्ति द्वारा जिद मूल प्रतिनिधित्व की प्रतिरोध की गयी है, सभी सार्वजनिक परिस्थितियों पर विचार करने के पश्चात्, हस्ताक्षरित की ऐसा प्रतिरोध प्रतिरक्षा करता है, जिसे देखे प्रतिरोध सभी;

(ख) यह समाजवाद हो जाने पर जिद उस धर्म व्यक्ति की समाप्ति के पश्चात्, मूल प्रतिनिधित्व द्वारा हस्ताक्षरित की प्रतिरोध की गयी है, कोई निर्देश किये गये हैं, उसे प्रतिरोध प्रतिरक्षा देगा, जो ऐसे चुराया ने सार्वजनिक के बरसात होगा।

सूचकांक—पद “हस्ताक्षर प्रतिरोध” का यही धर्म होमा, जो मूल प्रतिनिधित्व, 1984 में है।

14—उत्तर प्रदेश नवरथ नान्हरालिका (संजोयन) प्रमुख, 1972 एजुला निर्माण किया जाता है।
THE UTTAR PRADESH NAGAR MAHAPALIKAS (AMENDMENT) ACT, 1974
[U. P. ACT NO. 25 OF 1974]
[*Authoritative English Text of the Uttar Pradesh Nagar Mahapalika (Sanskodhan) Adhiniyam, 1974.]

AN ACT

Further to amend the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959

IT IS HEREBY enacted in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh Nagar Mahapalikas (Amendment) Act, 1974.

2. After section 8 of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959, the following section shall be inserted, namely:

   "8-A. (1) Where the term or the extended term of the Mahapalika has expired and a new Mahapalika has not been constituted, then until the due constitution of the new Mahapalika under section 9—

   (a) notwithstanding anything in this Act, the Nagar Pramukh, the Up-Nagar Pramukh, the Sabhasads, the Vishistha Sadasyas and the members of all Special Committees, Joint Committees and Sub-Committees constituted or appointed under sections 95 and 97 and the Mukhya Nagar Adhikari of the Mahapalika shall vacate their respective offices, and all such Special Committees, Joint Committees and Sub-Committees shall stand dissolved;

   (b) all powers, functions and duties of the Mahapalikas, its Nagar Pramukh, Up-Nagar Pramukh, Executive Committee, Development Committee and other Committee appointed under clause (a) of section 5 and of the Mukhya Nagar Adhikari shall be vested in and be exercised, performed and discharged by an officer appointed in that behalf by the State Government (hereinafter referred to as the Administrator), and the Administrator shall be deemed in law to be the Mahapalika, the Nagar Pramukh, the Up-Nagar Pramukh, Executive Committee, Development Committee or other Committee, or the Mukhya Nagar Adhikari as the occasion may require;

   (c) subject to any general or special orders of the State Government, the Administrator may, in respect of all or any of the powers conferred on him by clause (b),—

   (i) consult such Committee or other body, if any, constituted in such manner as may be specified by him in that behalf; or

   (ii) delegate, subject to such conditions as he may think fit to impose, the powers so conferred, to any person or to any committee or other body constituted under sub-clause (i), to be specified by him in that behalf;

   (d) such salary and allowances of the Administrator as may be fixed by general or special orders of the State Government in that behalf shall be paid out of the Mahapalika Fund.

*For Statement of Objects and Reasons, please see Uttar Pradesh Gazette Extraordinary, dated August 17, 1974.*

(Passed in Hindi by the Uttar Pradesh Legislative Council on June 10, 1974, and by the Uttar Pradesh Legislative Assembly on July 30, 1974)

(Received the Assent of the Governor on August 13, 1974, under Article 200 of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated August 13, 1974.)
(2) Necessary elections shall be held in accordance with the provisions of this Act for the constitution of the new Mahapalika within a period of one year from the date of appointment of the Administrator under sub-section (1):

Provided that the State Government may from time to time, by order published in the official Gazette, extend the said period, so, however, that such extension does not in the aggregate exceed one year.

3. (1) The Uttar Pradesh Nagar Mahapalikas (Amendment) Act, 1973, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Act or under the Uttar Pradesh Nagar Mahapalikas (Amendment) Ordinance, 1973, shall be deemed to have been done or taken as if this Act had commenced on the 12th day of June, 1973.
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 Uttar Pradesh Nagar Mahapalika (Sanskodhan) Adhiniyam, 1982 (Uttar Pradesh Adhiniyam Sarfiya 7 of 1982), as passed by the Uttar Pradesh Legislature and assented to by the Governor on February 25, 1982:

THE UTTAR PRADeSH NAGAR MAHAPALIKA (SANSHODHAN) ADHINIYAM, 1982

[U. P. ACT NO. 7 OF 1982]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959.

IT IS HEREBY enacted in the Thirty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Nagar Mahapalika (Sanskodhan) Adhiniyam, 1982.

   (2) It shall be deemed to have come into force on October 24, 1981.

2. In section 3 of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 hereinafter referred to as the principal Act, sub-section (3) shall be omitted.

3. In section 580 of the principal Act, in sub-section (1), between the words “from the date of coming into operation of this section” and the words “have effect” the words “or from the date of constitution of a Mahapalika under this Act whichever is later” shall be inserted.

4. (1) The Uttar Pradesh Nagar Mahapalika (Amendment) Ordinance, 1981 is hereby repealed.

   (2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, 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 principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

G. B. SINGH,
Sachiv.

श्री शशीतली अभिज्ञान -- ३६४ साल (चिंता वा) -- २७-२-८२ (3990) -- १९८२-७०० (मेक ०)
UTTAR PRADESH SARKAR
VIDHAYI ANUBHAG-1
No. 858 (2)/XVII-V-1—1 (Ka)—17-82
Dated Lucknow, March 10th, 1983

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 Uttar Pradesh Nagar Mahapalika (Sanskodhan) Adhiniyam, 1983 (Uttar Pradesh Adhiniyam Sankhya 5 of 1983), as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 8, 1983.

THE UTTAR PRADESH NAGAR MAHAPALIKA (AMENDMENT) ACT, 1983

[U. P. ACT NO. 3 OF 1983]
(As passed by the Uttar Pradesh Legislature)

AN ACT

further to amend the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959

IT IS HEREBY enacted in the Thirty-fourth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Nagar Mahapalika (Amendment) Act, 1983.

2. It shall be deemed to have come into force on April 23, 1982.

2. In the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959, after section 8-A, the following section shall be inserted, namely—

"8-AA. (1) Where any local area has been constituted to be a city under section 3 and the State Government is of opinion that until the due constitution of Mahapalika for such area under this Act, it is expedient so to do, then the State Government may, notwithstanding anything contained in this Act or any other law for the time being in force, by order direct that—

(a) the Municipal Board or any other local authority constituted for exercising jurisdiction in such area shall, with effect from such date as may be specified in the said order, hereinafter in this section referred to as 'specified date', stand dissolved or, as the case may be, cease to exercise jurisdiction in such area;

(b) all powers, functions and duties of the Mahapalika, its Nagar Pramukh, Up Nagar Pramukh, Executive Committee, Development Committee and other Committees established under clause (e) of section 5 and of the Mukhya Nagar Adhikari shall as from the specified date, be vested in and be exercised, performed and discharged by an officer appointed in that behalf by the State Government (hereinafter referred to as the Administrator) and the Administrator shall be deemed in law to be the Mahapalika, the Nagar Pramukh, the Up Nagar Pramukh, Executive Committee, Development Committee or other Committees, or the Mukhya Nagar Adhikari as the occasion may require;

(c) such salary and allowances of the Administrator as may be fixed by general or special orders of the State Government in that behalf, shall be paid out of the Mahapalika fund.

(2) Subject to any general or special orders of the State Government, the Administrator may, in respect of all or any of the powers conferred on him by clause (b)—

(i) consult such committee or other body, if any, constituted in such manner as may be specified in that behalf; or

(ii) delegate, subject to such conditions as he may think fit to impose, the power so conferred to any person or Committee or other body constituted under sub-clause (i), to be specified by him in that behalf."
(3) The provisions of this section shall be in addition to, and not derogation of, the provisions contained in section 579 and section 51.

3. (1) The Uttar Pradesh Nagar Mahapalika (Amendment) (Seco Ordi-ance, 1982 is hereby repealed.

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

By order,

G. B. SINGH,
Sachiv.