



## The Uttar Pradesh Municipal Corporation (Amendment) Act, 1998

Act 8 of 1998

**Keyword(s):**

Water Tax, Property Tax, Carpet Area, Latrine, Municipal Commissioner, Residential Buildings, Payment of Tax

Amendments appended: 17 of 1999, 7 of 2000, 16 of 2004, 12 of 2008

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Dated Lucknow, February 7, 1998

IN pursuance of the provision 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 Nigam (Sanshodhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sankhya 8 of 1998) as passed by Uttar Pradesh Legislature and assented to by the Governor on February 6, 1998.

THE UTTAR PRADESH MUNICIPAL CORPORATION  
(AMENDMENT) ACT, 1998  
(U.P. Act No. 8 of 1998)

[As passed by the Uttar Pradesh Legislature]

AN  
ACT

furter to amend the Uttar Pradesh Municipal Corporation Act, 1959.

IT IS HEREBY enacted in the Forty-ninth Year of the Republic of India as follows :—

Short title and  
commencement

1. (1) This Act may be called the Uttar Pradesh Municipal Corporation (Amendment) Act, 1998.

(2) It shall be deemed to have come into force on November 13, 1997.

Amendment of  
section 16 of  
U. P. Act No. II  
of 1959

2. In section 16 of the Uttar Pradesh Municipal Corporation Act, 1959 hereinafter referred to as the principal Act, in sub-section (15), for the words "a majority of more than one-half" the words "a majority of two-thirds" shall be substituted.

Repeat and  
savings

3. (1) The Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 1997 is hereby repealed.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. S. PANDEY,  
Vishesh Sachiv.

को दस ५० पी०—५० पी० 229 मा० वि०—(2380)--1998--350 (पंक०)।

No. 782 (2)/XVII-V-1-1 (KA) 15-1999

Dated Lucknow, March 26, 1999

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 Nigam (Sanshodhan) Adhiniyam, 1999 (Uttar Pradesh Adhiniyam Sankhya 17 of 1999) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 25, 1999.

THE UTTAR PRADESH MUNICIPAL CORPORATION  
(AMENDMENT) ACT, 1999

(U. P. ACT No. 17 OF 1999)

[As passed by the Uttar Pradesh Legislature]

AN  
ACT

further to amend the Uttar Pradesh Municipal Corporation Act, 1959 and to make consequential amendment in the Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972.

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

CHAPTER—I  
Preliminary

1. This Act may be called the Uttar Pradesh Municipal Corporation (Amendment) Act, 1999,

Short title

CHAPTER—II

Amendment of the Uttar Pradesh Municipal Corporation Act, 1959.

2. In section 173 of the Uttar Pradesh Municipal Corporation Act, 1959, hereinafter in this chapter referred to as the principal Act,

Amendment of section 173 of U. P. Act no. 2 of 1959

(a) in sub-section (1), for clause (b) the following clause shall be substituted, namely :—

“(b) a water tax leviable in areas where water is supplied by the Corporation;”

(b) in sub-section (2) for the existing proviso the following proviso shall be substituted, namely :—

“provided that the aggregate of the property taxes shall in no case be less than 22 percent and not more than 32 percent of the annual value of the building or land or both assessed to such taxes, so however, that the general tax shall not be less than 10 percent and not more than 15 percent, the water tax shall not be less than 7.5 percent and not more than 12.5 percent, the drainage tax shall not be less than 2.5 percent and not more than 5 percent and the conservancy tax shall not be more than 2 percent of the annual value.”

3. Section 174 of the principal Act shall be renumbered as sub-section (1) thereof, and,—

Amendment of section 174

(a) in sub-section (1) as so renumbered, for clause (b) the following clause shall be substituted, namely :—

“(b) in the case of a building or land not falling within the provisions of clause (a), twelve times the value arrived at on multiplying the carpet area of the building, or the area of the land, by the applicable minimum monthly rate of rent per square foot of the carpet area in the case of building or the applicable minimum monthly rate of rent per square foot of the area in the case of land, as the case may be, and for this purpose the minimum monthly rate of rent per square foot shall be such as may be fixed once in every two years by the Mukhya Nagar Adhikari on the basis of the location of the building or the land, nature of the

construction of the building, the circle rate fixed by the collector for the purposes of the Indian Stamp Act, 1899 and the current minimum rate of rent in the area for such building or land and such other factors, and in such manner, as may be prescribed :

Provided that where the annual value of any building would, by reason of exceptional circumstances, in the opinion of the Corporation, be excessive if calculated in the aforesaid manner, the Corporation may fix the annual value at any less amount which appears to it equitable.

*Explanation* :— For the purpose of calculation of annual value the carpet area shall be calculated as under :—

- (i) Rooms-full measurement of internal dimension;
- (ii) Covered Veranda-full measurement of internal dimension;
- (iii) Balcony, Corridor, Kitchen and Store-50 percent measurement of internal dimension;
- (iv) Garage-one-fourth measurement of internal dimension;
- (v) Area covered by bathroom, latrines, portico and stair case shall not form part of the carpet area.

*Explanation II* :— The standard rent, the agreed rent or the reasonable annual rent of a building for the purposes of the Uttar Pradesh Urban Buildings (Regulations of Letting, Rent and Eviction) Act, 1972 shall not be taken into account while calculating the annual value of that building."

(b) after sub-section (1), the following sub-section shall be inserted, namely :—

"(2) where the Corporation so resolves, the annual value for the purpose of assessment of property taxes shall,—

(a) in the case of land and owner-occupied residential building which is not more than ten years old, be deemed to be 25 percent less and if it is more than ten years but not more than twenty years old, be deemed to be 32.5 percent less, and if it is more than twenty years old, be deemed to be 40 percent less than the annual values determined under clause (b) of sub-section (1); and

(b) in the case of residential building let on rent, which is not more than ten years old, be deemed to be 25 per cent more, and if it is more than ten years but not more than twenty years old, be deemed to be 12.5 per cent more than the annual value determined under clause (b) of sub-section (1), and if it is more than twenty years old, be deemed to be equal to the annual value determined under clause (b) of sub-section (1)."

Amendment of  
section 177

4. in section 177 of the principal Act,—

(a) for clause (c), the following clause shall be substituted, namely :—

"(c) building solely used as jails, court houses, treasuries and schools and colleges other than such professional, vocational, technical and medical institutions as are not run and managed by the Government ;"

(b) in clause (e) the word "and" occurring in the end shall be omitted;

(c) after clause (f), the following clauses shall be inserted, namely :—

"(g) any owner-occupied residential building constructed on a plot of land measuring thirty square meters, or having a carpet area upto fifteen square meters provided that the owner thereof does not own any other building in the city; and."

(h) owner occupied residential buildings in any area which has been included in the city within the last ten years."

5. In section 179 of the principal Act, in sub-section (2), after clause (c) the following clause shall be inserted, namely :—

Amendment of section 179

"(d) if the property is let in pursuance of an order under the Uttar Pradesh Urban Buildings (Regulations of Letting, Rent and Eviction) Act, 1972, from the tenant."

6. After section 207 of the principal Act, the following section shall be inserted, namely :—

Insertion of a new section 207-A

"207-A. Notwithstanding any other provisions of this Act, the owner or occupier primarily liable for payment of tax in respect of a residential building may himself assess every year his liability regarding the amount of property tax payable by him and in doing so he may himself determine the annual value of the building in accordance with the provisions of clause (b) of section 174, and deposit the property tax so assessed by him in such manner, together with a statement of such self assessment in such form, as may be prescribed."

7. In section 211 of the principal Act, in sub-section (1), for the words "five years" the words "two years" shall be substituted,

Amendment of section 211

8. In section 221 of the principal Act, in sub-section (3) after the words "description of property", the words "for such period as may be specified in the order" shall be inserted.

Amendment of section 221

9. After section 221 of the principal Act, the following sections shall be inserted, namely :—

Insertion of new sections 221-A and 221-B

"221-A. (1) Where the owner or occupier primarily liable for payment of tax in respect of any premises has not paid by the date fixed by the Corporation in this behalf the tax or a part of the tax payable by him under this Act, simple interest at the rate of twelve per cent per annum from the date fixed for payment of tax upto the date of payment shall be payable by him upon the amount that has remained unpaid.

(2) Without prejudice to the provisions of sub-section (1), where the owner or occupier of any premises has paid tax under section 207-A on the basis of his own assessment and the tax so paid is found by the Corporation to be less than the amount of tax payable by him, simple interest at the rate of twelve per cent per annum upon the amount by which the tax so paid falls short of the tax which is found to be payable, shall be payable by him from the date fixed by the Corporation for payment of tax upto the date the amount of such difference is paid.

221-B. (1) Every owner or occupier primarily liable for payment of tax in respect of any premises shall submit to the Corporation a statement in respect of the carpet area of the building, or in respect of the area of the land, as the case may be, in such form and at such times, as may be prescribed in this behalf.

(2) If the Corporation is, on an enquiry conducted in this behalf in such manner as may be prescribed, satisfied that the statement submitted under sub-section (1) is factually incorrect in as much as any part of the carpet area of building, or any part of the area of the land, as the case may be, has been concealed, the Corporation may impose a penalty not exceeding one thousand rupees on the defaulter in such manner as may be prescribed in this behalf."

10. In section 503 of the principal Act, in clause (6) for the words, "in respect of the property" the words "in respect of the property if such tax is payable by a person entitled to such rent" shall be substituted.

Amendment of section 503

CHAPTER—III

*Amendment of the Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972*

Amendment of  
section 7 of U. P.  
Act no. 13 of  
1972

11. In section 7 of the Uttar Pradesh Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972 for the words and figures "in section 179 of the Uttar Pradesh Nagar Mahapalika Adhiniyam, 1959 (U. P. Act No. II of 1959) or in section 149 or in any rule made or notification issued under section 338 of the United Provinces Municipalities Act, 1916 or in section 14 (1) (e) of the United Provinces Town Areas Act, 1914" the words and figure "in section 149 of the Uttar Pradesh Municipalities Act, 1916" shall be substituted.

By Order,  
Y. R. TRIPATHI,  
Prantukh Sachiv.

No. 119(2)/XVII-V-1—1 (KA)-37-99

*Dated Lucknow, January 12, 2000*

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 Nigam (Sanshodhan) Adhiniyam, 2000 (Uttar Pradesh Adhiniyam Sankhya 7 of 2000) as passed by the Uttar Pradesh Legislature and assented to by the Governor on January 11, 2000.

**THE UTTAR PRADESH MUNICIPAL CORPORATION  
(AMENDMENT) ACT, 2000**

**(U. P. ACT No. 7 OF 2000)**

*[As passed by the Uttar Pradesh Legislature]*

**AN**

**ACT**

*further to amend the Uttar Pradesh Municipal Corporation Act, 1959.*

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

Short title and  
commencement

1. (1) This Act may be called the Uttar Pradesh Municipal Corporation (Amendment) Act, 2000.

(2) It shall be deemed to have come into force on October 1, 1999.

2. In section 12 of the Uttar Pradesh Municipal Corporation Act, 1959 hereinafter referred to as the principal Act, for sub-section (1) the following sub-section shall be substituted, namely :—

Amendment of section 12 of U. P. Act no. 2 of 1959

“(1) The Up Nagar Pramukh shall be elected, as soon as may be, after the election of sabhasads has been completed, or, as the case may be, after the expiry of the term of office of Up Nagar Pramukh.”

3. In section 50 of the principal Act, after sub-section (2) the following sub-section shall be inserted, namely :—

Amendment of section 50

“(2-A) The State Government shall, in consultation with the State Election Commission, by notification published in the Official Gazette, appoint date or dates for election of the Up Nagar Pramukh under section 12 and call upon the sabhasads to elect the Up Nagar Pramukh in accordance with the provisions of this Act.”

4. The provisions of section 50 of the principal Act as amended by this Act shall also apply with respect to the election of the Up Nagar Pramukh, whose office has been vacant, due to the expiry of his term of office, on the date of the commencement of this Act and any order or notification issued by the State Election Commission appointing date or dates for the election to fill such vacancy, shall stand rescinded as if the provisions of the principal Act as amended by this Act were in force at all material times.

Transitory Provision

5. (1) The Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 1999 is hereby repealed.

Repeal and savings

(2) Notwithstanding such repeal, anything done or any action taken under 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.

U. P.  
Ordinance  
no. 19 of  
1999

By order,  
Y. R. TRIPATHI,  
Pramukh Sachiv.



No. 1233 (2)/VII-V-1-1(KA) 27-2004

Dated Lucknow, August 12, 2004

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Na Nigam (Sanshodhan) Adhiniyam, 2004 (Uttar Pradesh Adhiniyam Sankhya 16 of 2004) as passed by Uttar Pradesh Legislature and assented to by the Governor on August 11, 2004 :

## THE UTTAR PRADESH MUNICIPAL CORPORATION (AMENDMENT)

ACT, 2004

(U.P. ACT NO. 16 OF 2004)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh Municipal Corporation Act, 1959.

IT IS HEREBY enacted in the Fifty-fifth Year of the Republic of India as follows

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Municipal Corporation (Amendment) Act, 2004.

(2) It shall be deemed to have come into force on November 21, 2002.

General Amendment in U. P. Act no. II of 1959

2. In the Uttar Pradesh Municipal Corporation Act, 1959, hereinafter referred to as the principal Act, for the words "Mukhya Nagar Adhikari", "Apar Mukhya Nagar Adhikari", "Upa Nagar Adhikari", "Sahayak Nagar Adhikari", "Nagar Pramukh", "Upa Nagar Pramukh", "Sabhasad" and "Sabhasads", wherever occurring, including headings, sub-headings and marginal headings, the words, "Municipal Commissioner", "Additional Municipal Commissioner", "Deputy Municipal Commissioner", "Assistant Municipal Commissioner", "Mayor", "Deputy Mayor", "Corporator" and "Corporators" shall respectively be substituted.

Amendment of section 5

3. In section 5 of the principal Act, for clause (d) the following clause shall be substituted, namely:—

“(d) a Municipal Commissioner and one or more Additional Municipal Commissioner appointed for the Corporation under this Act.”

Amendment of section 16

4. In section 16 of the principal Act,—

(a) in sub-section (14) for the words “together, in the event of the motion of non-confidence having been carried out with a report whether or not the Upa Nagar Pramukh has forwarded his resignation in accordance with the provisions of sub-section (17) read with section 19” the words “in the event of the motion of non-confidence having been carried” shall be substituted”.

(b) after sub-section (14) the following sub-section shall be inserted, namely:—

“(14-A) (a) the State Government shall, after considering the report of the Commissioner referred to in sub-section (14) on merits shall take decision within one month;

(b) in case the non-confidence motion against a Mayor is rejected by the State Government, no notice of any subsequent motion of non-confidence in that Mayor shall be received within a period of one year from the date of such rejection.”

(c) in sub-section (15) for the word “two-third” the word “three-fourth” shall be substituted;

(d) in sub-section (16) for the word "two-third" the word "three-fourth" shall be substituted.

5. In section 25 of the principal Act,-

Amendment of  
section 25

(a) in sub-section (1), for clause (d), the following clause shall be substituted, namely :-

“(d) is in the service of a State Government or the Central Government or any local authority or any undertaking or body owned or controlled by the State Government or the Central Government or is a District Government Counsel or an Additional or Assistant District Government Counsel or an Honorary Magistrate or an Honorary Munsif or an Honorary Assistant Collector”.

(b) in sub-section (4), after clause (ii) the following clauses shall be inserted, namely :-

“(iii) has created an obstacle in a meeting of the Corporation in such manner that it becomes impossible for the Corporation to conduct its business in the meeting or instigated some one to do so; or

(iv) has misbehaved with any officer or employee of the Corporation; or

(v) has directly or indirectly caused any loss or damage to any property of the Corporation or abets any other person to cause such loss or damage; or

(vi) is convicted for an offence which, in the opinion of the State Government involves moral turpitude;”.

6. In section 132 of the principal Act,-

Amendment of  
section 132

(a) after sub-section (3), the following sub-section shall be inserted, namely :-

“(3-A) No contract involving an expenditure exceeding two lakh rupees and not exceeding four lakh rupees shall be made by the Municipal Commissioner unless it has been sanctioned by the Mayor.”;

(b) in sub-section (4), for the words “five lakh rupees”, the words “eight lakh rupees” shall be substituted.

(c) in sub-section (5), for the words “fifty thousand rupees” the words “one lakh rupees” and for the words “one lakh rupees”, the words, “two lakh rupees” shall be substituted.

(d) after sub-section (6) the following sub-section shall be inserted, namely :—

“(7) The State Government may, by notification in the Gazette, modify the monetary limits specified in sub-section (3) or sub-section (4) or sub-section (5) keeping in view the rise in costs or the exigencies of work and efficiency of Corporations.”

7. In section 135 of the principal Act,—

Amendment of  
section 135

(a) in the marginal heading for words “five lakh rupees” the words “eight lakh rupees” shall be substituted.

(b) in sub-section (1),—

(i) for the words “one lakh rupees” the words “two lakh rupees” shall be substituted.

(ii) the proviso shall be *omitted*.

(c) after sub-section (1) the following sub-section shall be *inserted*, namely :-

“(1-A) the Mayor may sanction any estimate not exceeding four lakh rupees.”

Amendment of  
section 136

8. In section 136 of the principal Act,-

(a) in the marginal heading for the words “five lakh rupees” the words “eight lakh rupees” shall be *substituted*;

(b) in sub-section (1), for the words “five lakh rupees” the words “eight lakh rupees” shall be *substituted*;

(c) in sub-section (2), in clause (a) for the words “ten lakh rupees” the words “sixteen lakh rupees” shall be *substituted*.

Amendment of  
section 177

9. In section 177 of the principal Act,-

(a) for clause (c) the following clause shall be *substituted*, namely:-

“(c) building solely used as schools and Intermediate colleges whether aided by the State Government or not;”

(b) for clause (h) the following clause shall be *substituted*, namely:-

“(h) residential buildings occupied by the owner of building, which is located in such area which has been included in the limit of Corporation within five years or the facilities of roads, drinking water and street light provided in the area, whichever is earlier”.

Substitution of  
section 207

10. For section 207 of the principal Act, the following section shall be *substituted*, namely:-

“207-The Municipal Commissioner shall cause areawise rental rates Preparation of and an assessment list in the city or part thereof to be assessment list prepared from time to time, in accordance with the manner prescribed in the Rules.”

Insertion of new  
section 207-B

11. After section 207-A of the principal Act, the following section shall be *inserted*, namely:-

“207-B (1) For the purposes of annual rental value, the owner or Submission of the the occupier of every house or land shall submit details of houses or a property return upto a date as may be lands for assessment of tax prescribed.

(2) Any person failing to submit the return referred to in sub-section (1) without proper reasons shall be liable to pay penalty as may be prescribed.

(3) The penalty referred to in sub-section (2) may be compounded by the Municipal Commissioner”.

Substitution of  
section 208

12. For section 208 of the principal Act, the following section shall be *substituted*, namely:-

“208-The Municipal Commissioner shall publish the list prepared under Publication of list section 207 in accordance with the manner prescribed in the rules.”

13. For section 209 of the principal Act the following section shall be *substituted*, namely:—

Substitution of section 209

“209-The Municipal Commissioner or an officer authorised by him in this behalf shall dispose off the objections in accordance with the manners prescribed in the rules.”

14. In section 210 of the principal Act, for sub-section (1) the following sub-section shall be *substituted*, namely:—

Amendment of section 210

“(1) The Municipal Commissioner or an officer authorised by him in this behalf, shall authenticate by his signature the areawise rental rates and the assessment list of the city or any part thereof, as the case may be.”

15. In section 213 of the principal Act, for sub-section (1) for the words “The Executive Committee or a sub-committee thereof appointed in this behalf,” the words “The Municipal Commissioner or an officer authorised by him in this behalf” shall be *substituted*.

Amendment of section 213

16. For section 214 of the principal Act, the following section shall be *substituted*, namely:—

Substitution of section 214

“214-(1) When any building is constructed or reconstructed or any addition is made thereto by an owner or occupier and the covered area exceeds by more than 25 per cent then it shall be compulsory for him to submit its information

to the Municipal Commissioner within sixty days of the date of completion or date of occupation whichever is earlier, in the prescribed form.

(2) The owners or occupiers, who do not submit information referred to in sub-section (1) without proper reasons, shall be liable to be punished with fine which may extend to an amount equal to double of the assessed general tax or Rs. 500.00 per day of the delay whichever is less.

(3) The Municipal Commissioner may compound the proposed penalty under sub-section (2).”

17. (1) The Uttar Pradesh Municipal Corporation (Amendment) (Second) Ordinance, 2003 is hereby repealed.

Repeal and Savings

U. P.  
Ordinance  
no. 29 of  
2003

U. P.  
Ordinance  
no. 20 of  
2002

U. P.  
Ordinance  
no. 8 of  
2003

(2) Notwithstanding such repeal, anything done or any action taken under the provision of the principal Act as amended by Ordinance referred to in sub-section (1), or by the Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 2002 or by the Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 2003 shall be deemed to have been done or taken under the corresponding provisions of principal Act as amended by this Act as if the Act were in force at all material times.

## STATEMENT OF OBJECTS AND REASONS

With a view to bringing uniformity with other Corporations of the Country in the names of certain offices of the Municipal Corporation and making the provisions more effective and practicable in the present situation, the Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 2002 (U. P. Ordinance no. 20 of 2002) and the Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 2003 (U. P. Ordinance no. 8 of 2003) were promulgated on November 21, 2002 and April 8, 2003 respectively to amend the Uttar Pradesh Municipal Corporation Act, 1959 (U. P. Act no. 2 of 1959). The provisions of the said Ordinances were replaced by the Uttar Pradesh Municipal Corporations (Amendment) (Second) Ordinance, 2003 (U. P. Ordinance no. 29 of 2003) but it could not be replaced by an Act of the Legislature and was allowed to be lapsed. Now it has been decided to amend the said Act with retrospective effect *i. e.* with effect from November 21, 2002 to provide for,—

1. changing the names of certain offices of the Municipal Corporations;
2. making provision for more than one Additional Municipal Commissioner in a Municipal Corporation;
3. removal of Mayor by the State Government after considering the motion of no-confidence passed by the three-fourth majority of the total number of the members of the Corporation;
4. insertion of certain acts which also disqualify a person from being or from being chosen as the Corporator, a Deputy Mayor or Mayor of a Corporation;
5. increasing financial jurisdiction of the Mayor, the Corporation and the Municipal Commissioner in relation to the execution of contracts and sanction of estimates;
6. changing the procedure of imposition and realization of property tax.

The Uttar Pradesh Municipal Corporations (Amendment) Bill, 2004 is introduced accordingly.

By order,  
D. V. SHARMA,  
Pramukh Sachiv.

No. 519(2)/LXXIX-V-1-08-1(Ka)-12-2008

*Dated Lucknow, March 14, 2008*

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 Nigam (Sanshodhan) Adhiniyam, 2008 (Uttar Pradesh Adhiniyam Sankhya 12 of 2008) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 14, 2008 .

THE UTTAR PRADESH MUNICIPAL CORPORATION

(AMENDMENT) ACT, 2008

(U.P. ACT NO. 12 OF 2008)

*[As passed by the Uttar Pradesh Legislature]*

AN

ACT

*further to amend the Uttar Pradesh Municipal Corporation Act, 1959.*

IT IS HEREBY enacted in the Fifty-ninth Year of the Republic of India as follows:-

1. This Act may be called the Uttar Pradesh Municipal Corporation Short title  
(Amendment) Act, 2008.

Amendment of  
section 132 of  
U.P. Act no. 2 of  
1959

2. In section 132 of the Uttar Pradesh Municipal Corporation Act, 1959, hereinafter referred to as the principal Act,—

(a) in sub-section (3) for the words 'one lakh rupees' the words 'fifteen lakh rupees' and for the words 'five lakh rupees' the words 'twenty lakh rupees' shall be substituted.

(b) in sub-section (3-A) for the words 'two lakh rupees' the words 'ten lakh rupees' and for the words 'four lakh rupees' the words 'fifteen lakh rupees' shall be substituted.

(c) in sub-section (4) for the words 'eight lakh rupees' the words 'twenty lakh rupees' shall be substituted.

(d) in sub-section (5) for the words 'one lakh rupees' the words 'five lakh rupees' and for the words 'two lakh rupees' the words 'ten lakh rupees' shall be substituted.

(e) in sub-section (7) for the words 'sub-section (3)' the words "sub-section (3) or sub-section (3-A)" shall be substituted.

Amendment of  
section 135

3. In section 135 of the principal Act,—

(a) in the marginal heading for the words 'eight lakh rupees' the words 'twenty lakh rupees' shall be substituted.

(b) in sub-section (1) for the words 'two lakh rupees' the words 'ten lakh rupees' shall be substituted.

(c) in sub-section (1-A) for the words 'four lakh rupees' the words 'fifteen lakh rupees' shall be substituted.

(d) in sub-section (2) for the words 'five lakh rupees' the words 'twenty lakh rupees' shall be substituted.

(e) after sub-section (2), the following sub-section shall be inserted, namely:—

(3) The State Government may, by notification in the *Gazette*, modify the monetary limits specified in sub-section (1) or sub-section (2) keeping in view the rise of costs or the exigencies of the work and efficiency of Corporation.

Amendment of  
section 136

4. In section 136 of the principal Act,—

(a) in the marginal heading for the words 'eight lakh rupees' the words 'twenty lakh rupees' shall be substituted.

(b) in sub-section (1) for the words 'eight lakh rupees' the words 'twenty lakh rupees' shall be substituted.

(c) in sub-section (2), in clause (a) for the words 'sixteen lakh rupees' the words 'thirty lakh rupees' shall be substituted.

(d) after sub-section (2), the following sub-section shall be inserted, namely:—

(3) The State Government may, by notification in the *Gazette*, modify the monetary limits specified in sub-section (1) or sub-section (2) keeping in view the rise of costs or the exigencies of the work and efficiency of Corporation.

## STATEMENT OF OBJECTS AND REASONS

Section 132 of the Uttar Pradesh Municipal Corporation Act, 1959 (U.P. Act no. 2 of 1959) makes certain provisions relating to execution of contracts and sections 135 and 136 make provisions about the estimates not exceeding eight lakh rupees and exceeding eight lakh rupees respectively. The existing provisions of limited amounts in the said sections are not sufficient for the implementation of the time bound schemes. At present the costs of the construction materials have been increased and the rates of the Public Works Department have been revised. Under the above circumstances more amount are required for the implementation of certain important schemes financed by the Government of India. It has, therefore, been decided to amend the said Act to provide for increasing financial jurisdictions of the Municipal Commissioner, the Mayor, the executive committee and the Corporation etc. in relation to the execution of contracts and sanctions of estimates.

The Uttar Pradesh Municipal Corporation (Amendment) Bill, 2008 is introduced accordingly.

By order,  
S.M.A. ABIDI,  
Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 1185 राजपत्र (हि०)-(2624)-2008-597 प्रतियां-(कम्प्यूटर/आफसेट)।  
पी०एस०यू०पी०-ए०पी० 458 सांविधायी-(2625)-2008-850 प्रतियां-(कम्प्यूटर/आफसेट)।