

Manipur Gazette



EXTRA ORDINARY

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GOVERNMENT OF MANIPUR
SECRETARIAT : LAW & LEGISLATIVE AFFAIRS DEPARTMENT

NOTIFICATION

Imphal, the 29th August, 2005

No. 2/38/2005-Leg/L.—The following Act of the Legislature of Manipur which received assent of the Governor of Manipur on 26-8-2005 is hereby published in the Official Gazette.

THE MANIPUR MUNICIPALITIES (THIRD AMENDMENT) ACT, 2005
(Manipur Act No. 15 of 2005)

AN

ACT

further to amend the Manipur Municipalities Act, 1994 (No. 43 of 1994)

BE it enacted by the Legislature of Manipur in the Fifty-sixth Year of the Republic of India, as follows:—

1. Short title and commencement:—(1) This Act may be called the Manipur Municipalities (Third Amendment) Act, 2005.

(2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

2. Amendment of section 31:—(1) After clause (iv) of sub-section (2) of section 31 of the Manipur Municipalities Act, 1994 (hereinafter referred to as the principal Act), the following new clause (v) shall be added, namely:—

“(v) no such meeting convened under sub-section (2) shall be adjourned for any reason except on the ground of natural calamities affecting the meeting;”

(2) After sub-section (2), the following new sub-section (2a) shall be added, namely,—

“(2a) Notwithstanding anything contained in this Act, where the Chairperson or the Vice-Chairperson or a Councillor is one of the signatories to the requisition for such meeting, the Chairperson or the Vice-Chairperson or the Councillor, as the case may be, shall not preside over such meeting and in such eventuality, the Deputy Commissioner of the concerned district, in case of a Council or the Sub-Divisional Officer nominated by the State Government for the purpose, in case of a Nagar Panchayat, shall preside over such meeting.”

3. Insertion of new section 31A:— After section 31 of the principal Act, the following new section 31A shall be inserted, namely:—

“31A. Restriction on motion of no-confidence:— If the motion of no-confidence against the Chairperson or the Vice-Chairperson, as the case may be, is defeated, no fresh motion of no-confidence against the Chairperson or the Vice-Chairperson or both, as the case may be, shall be brought before the Council or the Nagar Panchayat, as the case may be, within a period of one year from the date of such defeat of the motion.”

4. Amendment of section 205— In section 205 of the principal Act,—

(i) in the marginal heading, between the words “to” and “dissolve” the words “suspend or” shall be inserted;

(ii) between the words “and” and “dissolve”, the words “suspend or” shall be inserted;

(iii) in the first proviso, between the words “its” and “dissolution”, the word “suspension or” shall be inserted;

(iv) in the second proviso, for the words “dissolved” and “dissolution”, the words “suspended or dissolved” and “suspension or dissolution” respectively shall be substituted;

(v) after third proviso, the following new proviso shall be added, namely,—

“Provided also that an order of suspension of the Council or Nagar Panchayat so issued, as the case may be, shall, unless revoked or extended, cease to operate on the expiration of a period of six months from the date of the suspension order but no such order of suspension, in any case, shall remain in force for more than one year.”

5. Amendment of section 206— In section 206 of the principal Act,

(1) (i) between the words “of” and “dissolution” in the marginal heading, the words “suspension or” shall be inserted.;

(ii) between the words "of" and "dissolution", wherever they occur therein, the words "suspension or" shall be inserted.

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

"(a) all Councillors of the Nagar Panchayat or the Council shall, as from the date of order—

- (i) in case of suspension, cease to function their offices as such Councillors during the period of the suspension of the Nagar Panchayat or the Council, as the case may be, or
- (ii) in case of dissolution, vacate their offices as such Councillors;"

A. SUKUMAR SINGH,
Secretary (Law), Govt. of Manipur.