

Assam Municipal (Amendment) Act, 2003

02 of 2003

[26 March 2003]

CONTENTS

1. Short title, extent and commencement
2. Insertion of new section 12A
3. Substitution of Section 14
4. Amendment of section 301

Assam Municipal (Amendment) Act, 2003

02 of 2003

[26 March 2003]

PREAMBLE

An

Act

further to amend the Assam Municipal Act, 1956.

Whereas it is expedient further to amend the Assam Municipal Act, 1956 (Assam Act No. XV of 1957), 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. Short title, extent and commencement :-

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

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

(3) It shall come into force at once.

2. Insertion of new section 12A :-

In the principal Act, after section 12 the following new section shall be inserted namely:-

"12A. Municipal Election to vest with State Election Commission.

(1) The Superintendence, direction and control of the preparation

of electoral rolls for, and the conduct of all election to the Municipalities and Town Committees shall be vested in the State Election Commission constituted by the Government of Assam.

(2) The State Government shall when so requested by the State Election Commission make available to the State Election Commission such staff as may be necessary for the discharge of the functions this Act."

3. Substitution of Section 14 :-

In the principal Act, for section 14, the following section shall be substituted, namely:-

"14. Qualifications for registration in an electoral roll.

(1) A person who-

(a) is a citizen of India;

(b) is not less than 18 years of age on the qualifying date; and

(c) is ordinarily resident in a Municipal area; shall be entitled to be registered in the electoral roll for that Municipal area.

(2) A person shall not be deemed to be ordinarily resident in a ward on the ground only that he owns, or is in possession of a dwelling house therein. A person absenting himself temporarily from his place of ordinary residence shall not be reason thereof cease to be ordinarily resident therein.

(3) No person shall be entitled to be registered in the electoral roll for any municipality if his name has already been registered as a voter in the electoral roll for any other Municipality or Town Committee.

(4) No person shall be entitled to be registered in the electoral roll for more than one ward.

(5) No person shall be entitled to be registered in the electoral roll if he suffers from any disqualifications under section 16 of the Representation of the people Act, 1950 (Central Act 43 of 1950).

Provided that the State Election Commission shall take the current Assembly electoral roll prepared under the Representation of the people Act, 1950 (Central Act 43 of 1950) as the basis for preparation of draft electoral roll for the wards or such part of the wards in a Municipality or Town Committee falling within the Assembly constituency.

Explanation:-"qualifying date" in relation to the preparation or revision of every electoral roll under this section, means the 1st day of January of the year in which it is so prepared or revised".

4. Amendment of section 301 :-

In the principal Act, in section 301, in sub-section (2), in clause (i), in between the words "registration of voters" and "qualification of candidates", the following shall be inserted, namely:-

"the manner and procedure for preparation finalisation and publication of electoral rolls for the Municipality and Town Committees".