

Ajasthan Municipalities (Amendment) Act, 2015

13 of 2015

[04 May 2015]

CONTENTS

1. Short title and commencement
2. Amendment of section 2, Rajasthan Act No. 18 of 2009
3. Amendment of section 55, Rajasthan Act No. 18 of 2009
4. Insertion of new section 69-A, Rajasthan Act No. 18 of 2009
5. Amendment of section 332, Act No.18 of 2009

Ajasthan Municipalities (Amendment) Act, 2015

13 of 2015

[04 May 2015]

An Act further to amend the Rajasthan Municipalities Act, 2009.
Be it enacted by the Rajasthan State Legislature in the Sixty-sixth
Year of the Republic of India, as follows:-

1. Short title and commencement :-

- (1) This Act may be called the Rajasthan Municipalities (Amendment) Act, 2015.
- (2) It shall come into force at once.

2. Amendment of section 2, Rajasthan Act No. 18 of 2009 :-

For the existing sub-clause (a) of clause (xiii) of section 2 of the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009), hereinafter in this Act referred to as the principal Act, the following shall be substituted, namely:-

"(a) the Commissioner, in case of a Municipal Corporation; "

3. Amendment of section 55, Rajasthan Act No. 18 of 2009 :-

For the existing clause (ii) of sub-section (3) of section 55 of the principal Act, the following shall be substituted, namely:-

"(ii) one or more health and sanitation committees: Provided that every Municipality may constitute one committee for wards upto fifty, two committees for fifty one wards to seventy five wards and three committees for wards exceeding seventy five;"

4. Insertion of new section 69-A, Rajasthan Act No. 18 of 2009 :-

After the existing section 69 and before the existing section 70 of the principal Act, the following new section shall be inserted, namely:-

"69-A. Acceptance of surrender of rights in certain lands and issue of lease deed

(1) Any person who holds non-agricultural land within the municipal area otherwise than under a lease or licence issued by the Municipality may, in the prescribed manner, surrender his rights in such land in favour of the Municipality for the purpose of obtaining lease hold rights from the Municipality and the Municipality may accept such rights.

(2) On acceptance by Municipality of rights under sub-section (1), all the rights of the holder in the said land shall vest in the Municipality and the Municipality shall, subject to the other provisions of this Act and the rules made thereunder and on payment by the holder such fee or charges as may be determined by the State Government, issue the holder lease of the said land.

(3) The lease issued under sub-section (2) shall be subject to all the covenants and encumbrances which were attached to the land and existed immediately before acceptance by the Municipality of the rights under subsection (1) .".

5. Amendment of section 332, Act No.18 of 2009 :-

In section 332 of the principal Act,-

(i) for the existing sub-section (1), the following shall be substituted, namely:-

"(1) Subject to the forgoing provisions of this Chapter and the rules made under section 337 or any other provision of this Chapter, the State Government shall appoint-

(i) one Commissioner for every Municipal Corporation;

(ii) such number of Additional

Commissioners or Deputy

Commissioners for every Municipal

Corporation as may be determined;

(iii) one Commissioner for every Municipal Council;
(iv) an Executive Officer for every Municipal Board;
(v) a Secretary for every Municipal Corporation or Municipal Council which resolves to appoint a Secretary in addition to the Commissioner; and
(vi) any other administrative officer by any name and designation as deemed necessary."; and

(ii) after sub-section (1), so amended and before the existing sub-section (2), the following new subsection shall be inserted, namely:-

"(1A) The State Government may, by notification in the Official Gazette, delegate such of the powers, functions or duties of the Commissioner of the Municipal Corporation to an Additional Commissioner or a Deputy Commissioner appointed under clause (ii) of sub-section (1), as it may think fit."