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**THE ASSAM MUNICIPAL CORPORATION (AMENDMENT) BILL, 2022**

**A  
BILL**

further to amend the Assam Municipal Corporation Act, 2022.

Preamble

Whereas it is expedient further to amend the Assam Municipal Corporation Act, 2022, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam Act  
No. VIII of  
2022

It is hereby enacted in the Seventy-third Year of the Republic of India as follows :-

Short title,  
extent and  
commencement

1. (1) This Act may be called the Assam Municipal Corporation (Amendment) Act, 2022.
- (2) It shall have the like extent as that of principal Act.
- (3) It shall come into force at once.

Amendment of  
section 3

2. In the principal Act, in section 3, after sub-section (5) the following new sub-sections shall be inserted namely:-

“(6) When a notification is issued under sub-section (5) of section 3 of this Act to constitute a Municipal Corporation comprising a city or town where there is an elected Municipal Board, the elected Commissioners including the Chairman, shall complete the residue term of five years.

(7) When a Corporation is constituted under sub-section (5) of section 3 of this Act, the existing elected Commissioners of existing Municipal Boards shall make and subscribe an oath or affirmation of his allegiance to the Constitution of India under sub-section (3) of section 8 and under section 15 of this Act.

(8) When provisions of this Act is extended to an existing Municipal Board or Corporation under sub-section (3) of section 1 of this Act, the elected Councillors shall complete the residue term of five years:

Provided that there shall be no alteration in the area of existing wards of the Municipal Boards or Municipal Corporation when action is initiated under sub-section (6) and (8) of this section.”.

Insertion of new  
section 3A

3. In the principal Act, after section 3, the following new section shall be inserted, namely:-

“Cessation of  
the Assam  
Municipal Act,  
1956 and  
Guwahati  
Municipal  
Corporation  
Act, 1969

- 3A. (1) With effect from the date of commencement of this Act as per sub-section (3) of section 1, the existing Assam Municipal Act, 1956 and the Guwahati Municipal Corporation Act, 1969 shall cease to apply for any area constituted as Corporation area under this Act.

Assam Act  
No. XV of  
1957  
Assam Act  
No. I of  
1973

- (2) Notwithstanding the provisions of sub-section (1) above, the Municipal Boards constituted under the Assam Municipal Act, 1956 and the Guwahati Municipal Corporation constituted under the Guwahati Municipal Corporation Act, 1969, as the

Assam Act  
No. XV of  
1957  
Assam Act  
No. I of  
1973

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case may be, shall, with effect from the date of commencement of this Act, be deemed to have been constituted under this Act, and, in respect of such Corporation or Board,-

- (a) every Councillor continuing in office as such immediately before the commencement of this Act shall be deemed to be a Councillor under this Act and shall hold office as such Councillor for the residue period of the term of office of the Councillor under any of these laws in force immediately before the commencement of this Act under which he was elected to be a Councillor or until he vacates, or is removed from, his office, or a new Councillor is elected and assumes office under this Act, whichever is earlier;
- (b) the Mayor, Mayor-in-Council, Ward Committee, Area Sabha, Commissioner and the Special Committees if any, continuing in office on the date immediately before the date of commencement of this Act shall be deemed to be the Mayor, Mayor-in-Council, Ward Committee, Area Sabha, Commissioner and the Special Committees, if any, under this Act;
- (c) any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued under the Assam Municipal Act, 1956 and Guwahati Municipal Corporation Act, 1969 before the commencement of this Act and establishment of the Corporation under this Act shall be deemed to have been made, issued or granted under the provisions of this Act, unless and until it is superseded by any order, scheme, rule, form, notice or bye-law made or issued under the provisions of this Act;
- (d) every budget passed, loan taken, assessment made, building plan sanctioned, licence or permission or sanction granted or issued, or any other similar action taken under the Guwahati Municipal Corporation Act, 1969 and Assam Municipal Act, 1956, and in force immediately before the commencement of this Act, shall, at the date of commencement of this Act, be deemed to have been passed, taken, made, sanctioned, granted or issued under this Act and shall, unless altered, modified, cancelled, suspended, or withdrawn, as the case may be, under this Act, remain in force for the period, if any, for which it was so passed, taken, made, sanctioned, granted or issued;
- (e) all properties, movable or immovable, and all rights and interest of whatever kind, owned by, or vested in, any Municipal Board or Corporation, within the area of, or owned by,

Assam Act No. XV of 1957  
Assam Act No. I of 1973

Assam Act No. I of 1973  
Assam Act No. XV of 1957

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or vested in, the Guwahati Municipal Corporation or the Municipal Boards, as the case may be, under any law in force immediately before the commencement of this Act, be deemed to be owned by, or vested in, the Municipal Corporations;

(f) all debts, obligations or liabilities incurred, all contracts entered by any Municipal Boards or Corporation, within the area of, or made, or incurred, by, the Guwahati Municipal Corporation or Municipal Boards, as the case may be, immediately before the commencement of this Act, shall pass on to the Municipal Corporations, as the case may be;

(g) all suits, prosecution and other legal proceedings instituted or which might have been instituted by or against any of the Municipal Boards or Corporation constituted under the Assam Municipal Act, 1956 and Guwahati Municipal Corporation Act, 1969 as the case may be at the date of commencement of this Act shall be deemed to be instituted by or against the Corporations established under this Act; and

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1957  
Assam Act  
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(h) all officers and other employees appointed under the Assam Municipal Act, 1956, or the Guwahati Municipal Corporation Act, 1969, as the case may be, and holding office on the date immediately before the date of commencement of this Act, shall, at the date of commencement of this Act, be deemed to have been appointed under this Act, and shall continue to hold office on the terms and conditions in force immediately before the commencement of this Act.”.

Assam Act  
No. XV of  
1957  
Assam Act  
No. I of  
1973

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ON *6.7.2022*

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