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The 23rd November 1966

No.LJL.21/66/11.—The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

ASSAM ACT XXIX OF 1966

(Received the assent of the President on the 19th November, 1966)

THE ASSAM MUNICIPAL (AMENDMENT)
ACT 1966

[Published in the *Assam Gazette* Extra-ordinary, dated the 24th November, 1966].

An

Act

further to amend the Assam Municipal Act, 1956

Preamble. Whereas it is expedient further to amend the Assam Municipal Act, 1956, hereinafter called the principal Act, in the manner hereinafter appearing; ^{Assam Act} XV of 1957.

It is hereby enacted in the Seventeenth Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Municipal (Amendment) Act, 1956.

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

(3) It shall come into force at once.

Amendment
of section 3
of Assam Act
of 1957.

2. In section 3 of the principal Act, after clause (1) the following shall be inserted as clause (1A),—

“(1A) ‘Boat’ means steamer or vessel propelled by steam, motor, electrical or other mechanical power including flats and tugs, country boat, row boat, skiff or other like craft.”

Amendment
of section
26 of Assam
Act XV of
1957.

3. In section 26 of the principal Act, after sub-section (4) the following shall be inserted as sub-section (5), namely:—

“(5) If the term of the office of the Commissioners of a Board expires and for any reason the election as provided in sub-section (1) cannot be held, the Board shall be deemed to have been dissolved under section 298 with effect from the date of expiry of the term of office of the Commissioners and thereafter the provisions of section 299 shall apply to the Board.”

Amendment
of section 60
of Assam Act
XV of 1957.

4. In section 60 of the principal Act, in sub-section (2), after the second proviso, the following shall be added as the third proviso, namely:—

“Provided further that without the prior sanction of the State Government the municipal fund shall not be expended for contesting any case filed against the Chairman, the Vice-Chairman, a Commissioner or any other person in authority where such Chairman, Vice-Chairman, Commissioner or the person, as the case may be, is involved in his individual capacity to contest such case.”

Amendment
of section 68
of Assam Act
XV of 1957.

5. In section 68 of the principal Act, in sub-section (1),—

(1) for clause (i), the following shall be substituted, namely:—

“(i) a fee on boats mooring within the Municipality;”

(2) after clause (n), the following shall be inserted as clause (o), namely:—

“(o) licence fee on boats.”

Insertion of
section 84A
in Assam
Act XV of
1957.

6. After section 84 of the principal Act, the following shall be inserted as section 84A, namely:—

"Prohibition of registration in certain cases.

84A. Where any deed or document required to be registered under the Indian Registration Act, 1908^{16 of 1908.} purports to transfer the title to any holding falling within a municipality, no registering Officer shall register any such deed or document unless the party presenting the deed or document for registration produces a certificate from the Municipal Board to the effect that there is no arrears of any tax assessed under this Act which is payable to the Board in respect of the holding."

Insertion
of section
127A in
Assam Act
XV of
1957.

7. After section 127 of the principal Act, a new section shall be inserted as section 127A, namely:—

"Licence fee on boats.

127A. (1) When it has been determined that licence fees on boats shall be imposed under section 68, subsection (1) (o), the Board, at a meeting, shall make an order that the owner of every boat which is kept or used within the Municipality shall take out a licence in the form to be prescribed by the Board and pay such fees as are fixed in the order and cause such order to be published locally. The licence taken out shall remain valid for one year after which it shall be renewed:

Provided that in no case the rate of licence fee shall exceed the following without the prior approval of the State Government,—

- (a) Steamer or vessel propelled by steam, motor, electrical or other mechanical power including flat or tugs. Rs. 20.00 (twenty) per annum.
- (b) Country boat with a capacity of more than 3,000 kilograms but less than 9,331 kilograms. Rs. 10.00 (ten) per annum.
- (c) Row boat, skiff or other like craft. Rs. 5.00 (five) per annum.

(2) Whoever owns or is in possession of any boat without a valid licence shall be punishable with a fine not exceeding one hundred rupees."

Repeal and 8. (1) The Assam Municipal (Amendment) Ordinance, 1966 is hereby repealed.
Saving.

Assam Ordinance
No. III of
1966.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance as repealed shall be deemed to have been done or taken under this Act as if this Act had commenced on the twenty-ninth day of June, 1966 (date of promulgation of the Ordinance).

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