

অসম



ৰাজপত্ৰ

# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT ::: LEGISLATIVE BRANCH

## NOTIFICATION

The 18th January, 2005

**No. LGL.86/2004/5.--** The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

## ASSAM ACT NO. I OF 2005

(Received the assent of the Governor on 13th January, 2005)

GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY  
(AMENDMENT) ACT, 2004AN  
ACT

further to amend the Guwahati Metropolitan Development Authority Act, 1985.

Preamble Whereas, it is expedient further to amend the Guwahati Metropolitan Development Authority Act, 1985, hereinafter referred to as the Principal Act, in the manner hereinafter appearing,

Assam  
Act No. XX  
of 1987.

It is hereby enacted in the Fifty fifth year of the Republic of India as follows:-

Short title,  
extent and  
Commence-  
ment

1. (1) This Act may be called the Guwahati Metropolitan Development Authority (Amendment) Act, 2004
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment  
of Section-5

2. In the principal Act, in section 5, (I) in sub-section (I), for the existing clauses (a) and (b), the following shall be substituted, namely :-

“(a) The post of Chairman of the Authority shall be filled up by nomination by the State Government by such person as the State Government may think fit.

(b) Two posts of Deputy Chairman of the Authority shall be filled up by nomination by the State Government by such persons as the State Government may think fit”,

(ii) After sub-section (11), the following sub-sections (12), (13), (14), (15), (16) and (17) shall be inserted, namely :-

“(12) The Chairman and the Deputy Chairman shall hold office for a period of three years from the date of their nomination as Chairman or Deputy Chairman, as the case may be:

Provided that after the expiry of the period of his appointment a person shall be eligible for re-appointment as Chairman or Deputy Chairman as the case may be :

Provided further that no person shall be appointed as Chairman or Deputy Chairman for more than two consecutive terms:

(13) A person shall be disqualified for being appointed or continuing as the Chairman or the Deputy Chairman as the case may be, if he –

- (a) holds any office of profit under the Authority,
- (b) is of unsound mind,



- (c) is an uncertified bankrupt or an undischarged insolvent,
- (d) has held directly or indirectly by himself or by any partner, any share or interest in any contract with, by or on behalf of the Authority, or
- (e) has been or is convicted of any offence involving moral turpitude.

(14) The Chairman and the Deputy Chairman may hold office in an honorary capacity or on payment of remuneration. If any remuneration is to be paid to the Chairman or the Deputy Chairman, such remuneration and other conditions of service shall be such as may be prescribed. The remuneration, if any, to the Chairman or the Deputy Chairman shall be paid from the fund of the Authority.

(15) The State Government may, by notification in the Official Gazette remove the Chairman or Deputy Chairman, as the case may be, from office, who in the opinion of the State Government has been guilty of any misconduct or negligence or has so abused his position as to render his continuance as Chairman or Deputy Chairman, as the case may be, detrimental to the interest of the Authority or the general public, after giving him a reasonable opportunity of being heard.

(16) The Chairman, or the Deputy Chairman may resign his office by giving notice in writing to the State Government and on the resignation being accepted by the State Government, he shall cease to be the Chairman or the Deputy Chairman, as the case may be.

(17) Any vacancy to the office of the Chairman or the Deputy Chairman, as the case may be, created by resignation, removal or otherwise shall be filled up by fresh nomination by the State Government."

M. K. DEKA,  
Commissioner & Secretary to the Govt. of Assam,  
Legislative Department, Dispur.