

Government of Jammu and Kashmir
Housing and Urban Development Department
Civil Secretariat, Srinagar/ Jammu

Notification

Srinagar, the 7th September, 2020

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S.O. WHEREAS section 427 of the Jammu and Kashmir Municipal Corporation Act, 2000 (XXI of 2000) provides as follows:

“427. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Act or by reasons of anything contained in this Act to any other enactment for the time being in force, the Government may, as occasion requires, by order direct that this Act shall during such period as may be specified in the order but not extending beyond the expiry of two years from the commencement orders have effect subject to such adaptations whether by way of modification, addition or omissions as it may deem to be necessary and expedient.”

AND WHEREAS a difficulty has arisen in giving effect to section 36 of the Act;

Now therefore, in exercise of the powers conferred by section 427 of the Jammu and Kashmir Municipal Corporation Act, 2000 and in supersession of S.O 219 dated 15.7.2020, the Government hereby makes the following order, namely:-

1. Short title and commencement:- (1) This Order may be called the Jammu and Kashmir Municipal Corporation (Removal of Difficulties) second Order, 2020.

(2) It shall come into force at once and shall remain in force for a period of one year or till it is revoked by the Government, whichever is earlier.

2. Removal of difficulties:- The difficulties arising in giving effect to the provisions of section 36 of the Jammu and Kashmir Municipal Corporation Act, 2000 have been removed in the following manner, namely:-

In section 36, in sub-section (2), the third proviso shall be substituted by the following, namely:-

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“Provided also that the Government may, if the circumstances so warrant, on account of reasons of internal security, public health including health pandemic, natural calamity such as floods,

earthquake, snowstorm or an event of a similar nature or any other reason which is a hindrance to the conduct of election of the Mayor or the Deputy Mayor, by reasons to be recorded in writing, extend the time limit of conducting the elections up to a maximum of Six months from the date the office of the Mayor or the Deputy Mayor falls vacant.”

By Order of Government of Jammu and Kashmir.

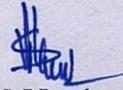
Sd/
(Dheeraj Gupta) IAS
Principal Secretary to the Government,
Housing & Urban Dev. Department.

No:- HUD/SMC/01/2020-Sgr

Dated:- 07.09.2020

Copy to the:-

1. All Financial Commissioners.
2. All Principal Secretaries to the Government.
3. All Commissioner/Secretaries to the Government.
4. Divisional Commissioner, Jammu/Kashmir.
5. All Secretaries to the Government.
6. Municipal Commissioner(s), JMC/SMC.
7. Special Secretary to Chief Secretary.
8. Deputy Commissioners, Jammu/Srinagar, with the request to affix this notification in his/her office.
9. General Manager, Government Press, Jammu/Srinagar for publication in the Gazette Notification.
10. Private Secretary to Advisor (S) to Lieutenant Governor.
11. Private Secretary to Advisor (F) to Lieutenant Governor.
12. Private Secretary to Advisor (B) to Lieutenant Governor.
13. Private Secretary to Advisor (BK) to Lieutenant Governor.
14. Private Secretary to Chief Secretary.
15. Private Secretary to Principal Secretary to Govt. H&UDD.
16. Website in-charge, General Administration Department.
17. Website In-charge, H&UDD.
18. S.O. file (w.2.s.c.).


(Syed Nazir Ahmad)
Under Secretary to Government
Housing and Urban Development Department