

THE DELHI MUNICIPAL LAWS (AMENDMENT) ACT, 1989

No. 10 OF 1989

[31st March, 1989.]

An Act further to amend the Delhi Municipal Corporation Act 1957 and the Punjab Municipal Act, 1911, as in force in New Delhi.

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short
title
and com-
mencement.

1. (1) This Act may be called the Delhi Municipal Laws (Amendment) Act, 1989.

(2) It shall be deemed to have come into force on the 1st day of April, 1988.

CHAPTER II

AMENDMENT TO THE DELHI MUNICIPAL CORPORATION ACT, 1957

Amend-
ment of
Act 66
of 1957.

2. In section 126 of the Delhi Municipal Corporation Act, 1957, after sub-section (2), the following sub-sections shall be inserted, namely:—

“(3) Notwithstanding anything contained in the proviso to sub-section (1) and sub-section (2), before making any amendment to the assessment list for the years commencing on the 1st day of April, 1988 and the 1st day of April, 1989 under sub-section (1), the Commissioner shall give to any person affected by the amendment, notice of not less than one month at any time before the 1st day of April, 1991, that he proposes to make the amendment and consider any objections which may be made by such person.

(4) No amendment under sub-section (1) shall be made in the assessment list in relation to—

(a) any year prior to the year commencing on the 1st day of April, 1988, after the 31st day of March, 1991;

(b) the year commencing on the 1st day of April, 1988, or any other year thereafter, after the expiry of three years from the end of the year in which the notice is given under sub-section (2) or sub-section (3), as the case may be:

Provided that nothing contained in this sub-section shall apply to a case where the Commissioner has to amend the assessment list in consequence of or to give effect to any direction or order of any court.

Explanation.—In computing the period referred to in clause (a) or clause (b), any period or periods during which the proceedings for the assessment were held up on account of any stay or injunction by the order of any court, or the period of any delay attributable to the person to whom the notice has been given under sub-section (2) or sub-section (3), as the case may be, shall be excluded.”

CHAPTER III

AMENDMENT TO THE PUNJAB MUNICIPAL ACT, 1911, AS IN FORCE IN NEW DELHI

3. In the Punjab Municipal Act, 1911, as in force in New Delhi, after section 67, the following section shall be inserted, namely:—

“67A. (1) Notwithstanding anything contained in this Act, the committee may amend the assessment list for the years commencing on the 1st day of April, 1988, the 1st day of April, 1989 and the 1st day of April, 1990 for increasing or reducing, for sufficient reasons, the amount of annual value of any property and of the assessment thereupon, after giving notice, at any time before the 1st day of April, 1991, to any person affected by the amendment, of a time, not less than one month from the date of service, at which the amendment is to be made, and the committee shall consider any objections which may be made by such person.

(2) No amendment under sub-section (1) shall be made in the assessment list in relation to—

(a) the year commencing on the 1st day of April, 1988, after the expiry of one year,

(b) the years commencing on the 1st day of April, 1989 and the 1st day of April, 1990, after the expiry of two years,

from the end of the financial year in which the notice is given under sub-section (1):

Provided that nothing contained in this sub-section shall apply to a case where the committee has to amend the assessment list in consequence of or to give effect to any direction or order of any court.

Explanation.—In computing the period referred to in clause (a) or clause (b), any period or periods during which the proceedings for the assessment were held up on account of any stay or injunction by the order of any court, or the period of any delay attributable to the person to whom the notice has been given under sub-section (1), as the case may be, shall be excluded.”

Amend-
ment of
Punjab
Act III
of 1911.

Time
limit for
issuing
notices
for fur-
ther
amend-
ment of
assess-
ment list
for
financial
years
1988,
1989, etc.