

# Local Government (Municipalities) Act, 2009

(Act No. 58 of 2009)

[ October 6, 2009 ]

## An Act to make a new Act repealing the existing Municipal Ordinance

Whereas it is expedient and necessary to enact a new Act repealing the existing Municipal Ordinance;

Therefore, it is hereby enacted as follows:-

### 1ST PART

early

#### Application and introduction of short titles

1 (1) This Act shall be known as the Local Government (Municipalities) Act, 2009.

(2) It shall apply to the whole of Bangladesh:

Provided that the Government may, by notification in the Government Gazette, exempt any particular area or municipal area or municipality from the application of all or any of the provisions of this Act or the rules or regulations made thereunder.

(3) of this Act—

(a) sections other than sections 36, 80, 98, 99, 100, 101, 102, 103, 104, 105 and 109 shall be deemed to have come into force on the 14th day of May, 2008; And

(b) Sections 36, 80, 98, 99, 100, 101, 102, 103, 104, 105 and 109 shall come into force immediately.

#### definition

2 Unless there is anything contrary to the subject or context, in this Act,  
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(1) 'Law Enforcement Agency' means the Police Force, Armed Police Battalion, Rapid Action Battalion (RAB), Ansar Force, Battalion Ansar, Bangladesh Rifles, Coast Guard Force and Defense Forces;

(2) 'code of conduct' means the code of conduct made under this Act;

- (3) 'financial institution' means a financial institution as defined in section 2 of the Financial Institutions Act, 1993 (Act No. 27 of 1993) and section 2 of the Money Debt Courts Act, 2003 (Act No. 8 of 2003);
- (4) 'garbage' means garbage, refuse, excreta, animal carcasses, drain bottoms, sewage sludge, filth, refuse and any other polluting matter;
- (5) 'Improvement Trust' means any person or authority, including the Development Authority, entrusted with carrying out urban development activities;
- (6) 'building' shall include any enclosure, wall, water-reservoir, verandah, platform, floor and stairs constructed in connection with any shop, house, hut, meeting-house, shed, stable or any other necessary goods;
- (7) "construction of buildings" means the construction of new buildings;
- (8) 'reconstruction of building' means a substantial alteration of a building as prescribed;
- (9) 'building line' means a line beyond which no part of the exterior or exterior wall of a building shall project towards an existing or proposed street;
- (10) 'Emission' means any act, defect, place or substance caused, smelled or heard which causes or may cause injury, danger, nuisance or offense which is fatal to life or harmful to health or property;(11) ' bye-law' means bye-laws made under this Act;
- (12) "sub-tax" means a sub-tax levied under this Act;
- (13) 'development authority' means any body or authority entrusted with the task of carrying out the functions of urban development;
- (14) 'ward' means a ward demarcated for the purpose of electing a councillor;
- (15) 'tax' means any tax, sub-tax, rate, toll, fee, duty or any tax leviable under this Act;
- (16) 'Councillor' means any Councilor of the Municipality;
- (17) "factory" means a factory as defined in section 2(7) of the Bangladesh Labor Act, 2006 (Act No. 42 of 2006);
- (18) 'Cantonment Board' means the Cantonment Board constituted under the Cantonments Act, 1924 (Act No. II of 1924);

(19) 'rent' means money or goods lawfully payable by an occupier or tenant or lessee by reason of lawful possession of any building or land;

(20) 'food' means all articles intended for human consumption other than medicines and beverages;

(21) 'public place' means any building, yard or place open to the general public;

(22) 'Mayor' means any Mayor of a municipality;

(23) 'district' means the district created under the District Act, 1836 (Act No. I of 1836);

(24) 'toll' means the toll levied under this Act;

(25) 'Deputy Commissioner' means any officer specially appointed by the Government under this Act to perform all or any of the functions of a Deputy Commissioner;

(26) 'drug or medicine' means any substance used as medicine for internal or external use and includes any substance used in the mixture or preparation of medicine;

(27) 'drain' includes underground drains, street or house drains, tunnels, culverts, trenches, drains and any arrangement for carrying away rain water and waste water;

(28) 'Schedule' means the Schedule annexed to this Act;

(29) 'occupier' means an owner who is the actual occupier of his land or building and a person who temporarily pays or is liable to pay rent to the owner for the land or building or part thereof;

(30) 'dairy farm' means any farm, cow shed, cow house, milk store, milk shop, or any place from which milk or milk products are supplied for sale;

(31) 'Penal Code' means The Penal Code (Act No. XLV of 1860);

(32) 'prescribed authority' means the Government or any public officer empowered by the Government to carry out any specified purpose of this Act;

(33) "Election Commission" means the Election Commission established under Article 118 of the Constitution of the People's Republic of Bangladesh ;

(34) "Election Appellate Tribunal" means the Election Appellate Tribunal constituted under section 24 of this Act;

(35) "Election Tribunal" means the Election Tribunal constituted under section 24 of this Act;

(36) 'election observer' means any person or body authorized in writing by the Election Commission or any person authorized by it for the purpose to observe any election under this Act;

(37) 'offenses involving moral turpitude' include extortion, theft, embezzlement, breach of trust, rape, murder, murder and Criminal Misconduct as defined in the Prevention of Corruption Act, 1947 (Act No. II of 1947); shall;

(38) 'council' means the council consisting of the mayor and councilors of the municipality;

(39) 'rural area' does not mean a town such as any relatively backward and backward agrarian or feudal-like professional township and an area consisting of villages or wards under a Union Parishad which is not included in a municipal or cantonment area;

(40) 'police officer' means any police officer of the rank of Sub-Inspector and above in the Police Force;

(41) 'Chief Executive Officer' means the Chief Executive Officer of the Municipality;

(42) "regulations" means regulations made under this Act;

(43) 'municipality' means a municipality constituted under section 6 of this Act;

(44) 'municipal area' means the area specified in section 4(2) of this Act;

<sup>3</sup> [(44A) "municipal executive officer" means the municipal executive officer of a municipality or any person temporarily exercising the duties of a municipal executive officer;]

(45) 'municipal fund' means the municipal fund;

(46) 'municipal master plan' means the framework of the development plan within the boundaries of the municipality; Determining policies and strategies for land use, transport and management, sewage and environmental management and specific implementable development projects under the overall municipal development programme;

(47) 'ordinary resident of the municipality' means a resident of the concerned ward or municipal area whose name is included in the electoral roll of that area;

(48) 'fee' means the fee prescribed under this Act;

(49) 'residential house' means a building used wholly or mainly for human use;

(50) 'market' means any place where people gather for the sale and purchase of fish, meat, fruits, vegetables or any other foodstuff and other commodities and buy and sell or animals or cattle- Goats and fowls are gathered for sale and purchase and are bought and sold and shall include bazaar and any place declared by law as bazaar or bazaar.

(51) 'Annual house rent' means the expected reasonable yearly rent of the building and premises, exclusive of the furniture kept in any building and the machinery situated on the premises, the sum paid or promised to be paid by the tenant to the owner of the building or the owner of the premises by reason of occupancy, taxes, insurance or Any other incidental expenses related to rights;

(52) 'rules' means rules made under this Act;

(53) "Divisional Commissioner" means the chief officer in charge of revenue administration and any officer specially appointed by the Government under this Ordinance to perform all or any of the functions of a Divisional Commissioner;

(54) 'Bank' means—

(a) a bank company as defined in section 5(n) of the Bank Companies Act, 1991 (Act No. 14 of 1991); or,

(b) the Bangladesh Industrial Credit Corporation established under The Bangladesh Shilpa Rin Sangstha Order, 1972 (PO No. 128 of 1972); or,

(c) The Bangladesh Shilpa Bank Order. Bangladesh Shilpa Bank established under PO No. 129 of 1972; or,

(d) the Bangladesh House Building Finance Corporation established under The Bangladesh House Building Finance Corporation Order, 1973 (PO No. 17 of 1973); or,

(e) Bangladesh Krishi Bank established under The Bangladesh Krishi Bank Order, 1973 (PO No. 27 of 1973); or,

(f) the Investment Corporation of Bangladesh established under The Investment Corporation of Bangladesh Ordinance, 1976 (Ordinance No. XL of 1976); or,

(g) Rajshahi Krishi Unnayan Bank established under The Rajshahi Krishi Unnayan Bank Ordinance, 1986 (Ordinance No. LVIII of 1986); or,

(h) Basic Bank Limited (Bangladesh Small Industries and Commerce Bank Limited) established under the Companies Act, 1994 (Act No. 18 of 1994).

(55) 'Owner' means a person who for the time being collects the rent of the land or building or any of them on his own responsibility or as representative or trustee of any person or society or any religious or charitable work or pays rent to the tenant of the land or building who He used to collect or do it;

<sup>২</sup> [(55A) "political party" means registered political party as defined in Article 2 (xix) of the Representation of the People Order, 1972

(56) 'rate' means the rate prescribed under this Act;

(57) 'position of profit' means a full-time salaried position or position in a public limited company in which fifty per cent or more shares are held by the Republic or a statutory public authority or the Government;

<sup>৩</sup> [\*\*\*]

(59) 'Government' means the Government of the People's Republic of Bangladesh;

(60) "public road" means any road for the movement of the public maintained by the Government or a local government body or any other local authority;

(61) 'road line' shall include the land containing the road and the land forming part of the road, the line dividing it from the adjacent land;

<sup>৪</sup> [ (61A) "independent candidate" means such candidate who is not nominated by any political party;]

(62) 'infectious disease' means a disease which is communicable from one person to another and includes any other disease published by the Government in the Official Gazette;

(63) "statutory public authority" means any statutory public authority as defined in Article 152(1) of the Constitution of the People's Republic of Bangladesh ;

(64) 'sewage' means sewage carried through a drain, polluted water, rain water and any polluted or foul matter carried by sewers;

(65) 'local authority' means a local government body or any statutory body established by any law;

(66) 'local council' means a municipality, union council, upazila council, district council and city corporation constituted under the Act;

(67) 'Standing Committee' means the Municipal Standing Committee constituted under this Act;

(68) 'city area' means the area under the jurisdiction of a municipality or cantonment board, and shall include the city area declared under section 3 of this Act;

(69) 'Hat' means a place appointed for the sale and purchase of goods, food, goods, livestock, etc. on certain days and times of the week.

## **Declaration of city area**

3 (1) The Government shall, through a notification published in the Government Gazette, after analyzing the necessary information such as, (a) population, (b) density of population, (c) sources of local income (d) percentage of non-agricultural occupations, and (e) economic importance of the area. Any rural area can express its intention to declare it as an urban area.

(2) Before publishing the gazette notification in accordance with sub-section (1), it shall be ascertained that the declared area-

(a) Three-fourths of the people are engaged in non-agricultural occupations;

(b) 33 percent of the land is non-agricultural in nature;

(c) population density not less than ৫ [গড়ি] ংযড়ুংধহফ। চুবৎ ংয়ঁধৎব শরষড়সবংবৎ ড়হ ধহ ধাবৎধমব;

(d) The population shall not be less than fifty thousand.

(3) After the publication of the notification regarding the declaration of urban area under sub-section (1), the concerned Union Parishad of that area may raise a written objection to the Government against such

proposal within one month.

(4) The Government shall dispose of objections raised under subsection (3) within a period of three months and, when a decision is taken regarding the formation of an urban area, the Government shall publish the same in the Government Gazette for public information.

## 2ND PART

### CHAPTER ONE

#### Establishing municipalities, forming municipalities, etc

**Establishment  
of  
municipalities,  
etc**

4 (1) All municipalities established before the commencement of this Act and existing on the date of the commencement of this Act shall be deemed to be municipalities formed under the name and area under this Act having such name and area.

(2) After the coming into force of this Act the Government may, by notification in the Official Gazette, establish a new municipality comprising one or more declared urban areas and the area included in the said municipality shall be known as the municipal area.

(3) The Municipality shall be a statutory body and shall have perpetual succession and a common seal and shall, subject to this Act and the rules, regulations and by-laws made thereunder, have power to acquire, hold and transfer all immovable and immovable property. And a case can be filed in its name and a case can be filed against it in the said name.

(4) The Government shall, subject to the provisions of this Act, in such manner as may be prescribed by rule—

(a) other than cantonment areas, may constitute municipalities comprising other urban areas;

(b) may contract, extend or otherwise alter or amend the boundaries of the municipal area of any municipality;

(c) may include in the municipal area any urban area adjacent to the municipal area;

(d) may divide any municipal area into two or more municipal areas;

(e) may amalgamate two or more contiguous municipal areas into one municipal area; And

(f) may redefine the boundaries of two or more municipal areas.

**Municipalities  
as**

5 According to Article 59 (1) of the Constitution of the People's Republic of Bangladesh, each municipality shall be considered as an administrative unit or unit.



## **administrative units**

### **Formation of municipality**

6 (1) As soon as practicable after this Act comes into force, a municipality shall be constituted in accordance with the provisions of this Act in every municipal area.

(2) The municipality shall consist of the following persons, namely:-

(a) the Mayor;

(b) an equal number of councilors for such number of wards as may be prescribed by the Government by notification in the Official Gazette; And

(c) the prescribed number of councilors reserved for women only under section 7.

(3) The mayor and councilors of a municipality shall be elected by direct vote of adults in accordance with this Act and rules made thereunder.

(4) The Mayor shall be deemed to be a Councilor of the Municipality.

(5) The duties, functions and privileges of the mayor and councilors of the municipality shall be determined by the rules.

**Explanation.-** In this sub-section councilor shall also mean a councilor of a reserved seat.

### **Women representation in councils**

7 (1) A number of seats equal to one-third of the number of councilors, hereinafter referred to as reserved seats, shall be reserved for women, as may be fixed by the Government by notification in the Government Gazette under sub-section (2)(b) of section 6 for every municipality.

(2) Councilors of reserved seats shall be elected by direct vote of adults in accordance with this Act and the rules made thereunder:

Provided that nothing in this section shall impair the right of a woman to be directly elected to a non-reserved seat.

**Explanation.-** In determining the number of seats reserved under this section, if there is a fraction of the said number and the said fraction is half or more, it shall be treated as a whole number and if the said fraction is less than half, it shall be disregarded.

### **Municipal tenure, etc**

8 (1) Subject to the provisions of section 6, the term of the said municipality shall be for a period of five years from the date of the first meeting after its formation<sup>u</sup> [.

<sup>9</sup>[\*\*\*]

(2) Notwithstanding anything contained in this Act, the municipality shall be deemed to be duly constituted after the election of seventy-five percent of the total number of councilors and the election of the mayor has been completed.

**Explanation:** In the calculation of seventy-five percent under this sub-section, in the case of fractions, less than one-tenths five percent shall not be taken as a fraction and one-tenths five percent or more shall be treated as a single number.

(3) The first meeting of a municipality after its formation shall be held on a date not later than thirty days after the date of publication in the Official Gazette of the names of the mayor and councilors of the municipality.

**Naming of municipality**

9 (1) Generally: The municipality shall be named after the area in which the municipality is established and no municipality shall be renamed after any person.

(2) In the case of an existing municipality, the name shall not be changed without the consent of the said municipality.

**Classification of Municipalities**

10 The Government may classify municipalities based on specific criteria and procedures.

**Abolition of Municipalities**

11 <sup>b</sup> [(1) Notwithstanding anything contained in any other provision of this Act, the Government may, by notification in the Official Gazette, dissolve the said municipality if it appears by the Government through the prescribed process that any municipality has failed to comply with the conditions or provisions set out in this Act. can announce.]

(2) Before issuing the declaration under sub-section (1), the municipality concerned shall be given an opportunity to show cause in respect of the proposed dissolution.

(3) The term of office of the mayor and councilors of the said municipality shall automatically be deemed to have ceased on the publication in the official gazette of the dissolution of any municipality under sub-section (1).

(4) The liability of the assets of such dissolved municipality shall be determined by the Government.

**Emoluments and other benefits of Mayor and Councillors**

12. The Mayor, Deputy Mayor and Councilors shall be entitled to receive honorarium and other benefits from the Municipality at the rate fixed by the Government.

**CHAPTER II**

**Delimitation of Wards, Electoral Rolls, etc**

**Division of municipal area into wards**

13. For the purpose of electing municipal councillors, the Government shall divide the municipality into the required number of wards.

**Ward Committee**

14 (1) In each ward of the municipal area, with not more than ten members, with the approval of the Parishad, a ward committee shall be constituted and the elected councilor of each ward shall be the chairman of the ward committee of that ward.

(2) Out of the total ten members, 40% of the members will be women, but for the purpose of making this system more effective, the municipality may take necessary decisions after reviewing the work of each ward.

(3) The scope of work of the ward committee shall be determined by rules and, until such rules are made, the municipality may by general order determine the same.

(4) Among other things, one of the functions of the ward committee shall be to involve the citizens of the ward in the development and administrative programs of the municipality through open meetings.

(5) The ward committee shall remain in force for the duration of the term of office of the municipality, until the next successor takes over.

**Appointment of demarcation officer**

15 (1) The authority appointed for the purpose of delimitation of the ward may appoint the necessary number of demarcation officers and assistant demarcation officers from among the persons engaged in the work of the Republic.

(2) The Assistant Boundary Officer shall perform the functions under the Boundary Officer

**Determination of ward boundaries**

16 (1) Geographical inclusion shall be preserved as far as possible in the reorganization of municipal wards <sup>ᵇ</sup> [\*\*\*] .

(2) The Demarcation Officer may examine such records, investigate and consider proposals presented in this regard as he deems necessary for the

purpose of delimitation and he shall publish a preliminary list of wards in the form of a circular specifying the areas proposed to be included in which wards.

(3) Within fifteen days of the publication of the notice under sub-section (2), inviting objections or suggestions, shall publish the notice in his office and in the office of the municipality and in any other place or places as he may consider necessary.

(4) The Demarcation Officer shall consider any objection or suggestion received under sub-section (2) and, if necessary, hold a personal hearing and communicate his decision in this regard to the public by notification not exceeding fifteen days and send a copy thereof to the Deputy Commissioner concerned and to the Government.

(5) An appeal may be made to the Deputy Commissioner of the district concerned within fifteen days against the decision of the demarcation officer and the Deputy Commissioner shall dispose of the said appeal within fifteen days.

(6) After completing the correction, alteration or conversion, if any, in terms of sub-section (5), the Boundary Delimitation Officer shall publish the final list of wards in his office, municipal office and any other place as he deems necessary, specifying the areas included in each ward. and shall send the certified copy of the list to the Government and the Government shall publish the same in the Official Gazette.

(7) For the purpose of electing Councilors for reserved constituencies, the Delimitation Officer shall, after dividing a municipality under this section into the required number of wards, shall, following the provisions of this section as far as possible, designate all those wards as such consolidated wards that the number of such consolidated wards shall be equal to the number of reserved seats.

#### **voter list**

17 (1) There shall be a voter list prepared by the Election Commission for each ward.

(2) A person shall be entitled to be registered as a voter of a ward, if he-

(a) be a citizen of Bangladesh;

(b) is not less than eighteen years of age;

(c) has not been declared unnatural by any competent court; And

(d) be deemed to be a resident of the ward concerned.

#### **suffrage**

18 A person's name will be included in the voter list for the time being in the ward, he can vote in the councilor and mayor election of that ward.

### **CHAPTER III**

## Disqualification of Mayor and Councillors, etc

**Qualifications and** 19 (1) A person shall, subject to the provisions of sub-section (2), be eligible to be elected as Mayor or Councillor, if—

**Disqualifications of Mayors and Councillors** (a) he becomes a citizen of Bangladesh;  
(b) he attains the age of twenty-five years;  
(c) in the case of the Mayor, his name is recorded in the electoral roll of any ward; And  
(d) In the case of councilors of reserved women constituencies including other councillors, their names are recorded in the voter list of the respective ward.

(2) No person shall be eligible to be elected to the office of Mayor or Councilor and to hold such office as Mayor or Councillor, if he-

- (a) renounces or loses the citizenship of Bangladesh;
- (b) has been declared by a court of competent jurisdiction to be a natural person;
- (c) is declared bankrupt and has not been discharged from liability after being declared bankrupt;
- (d) has been convicted of any criminal or moral turpitude and has been sentenced to imprisonment for a term not exceeding two years and not more than five years have elapsed since his release;
- (e) holds whole-time any office of profit in the Republic or in a municipality or any other local authority;
- (f) has received grants or funds from any foreign state, has not resigned or retired from the office of chief executive of such private organization for one year after his resignation;
- (g) other than a contract entered into between a co-operative society and the Government, for the supply of goods to the Government in the municipal area concerned or for the performance of any contract or service undertaken by the Government, in its own name or in the name of any person or classes of persons as its trustees or for its benefit or on his occasion or as a member of a Hindu joint family he has any share or interest is bound by such agreement;

Explanation.- The disqualification imposed under clause (g) above shall not apply to any person who-

- (1) the share or interest in the contract is transferred to him by succession or bequest as receiver, executor or manager, unless six months have elapsed after the transfer; or
- (2) the contract is executed by or on behalf of a public company as defined in the Companies Act, 1994 (Act No. 18 of 1994) of which he is only a

shareholder, but is not a director holding any beneficial position or managing agent under it ; or

(3) He has no share or interest in the contract as a member of a joint Hindu family in the conduct of any independent business where the contract is executed by any other member of the family.

(h) or any member of his family is appointed as a contractor for the execution of the work of the municipality concerned or for the supply of goods or is a partner in a contracting firm appointed for the same or has any pecuniary interest in any matter of the municipality;

(j) Any loan received from any bank or financial institution on the date of submission of nomination paper remains unpaid;

Provided that house-building or small agricultural loans taken from any bank or financial institution for personal residence shall not be covered;

(j) Directors of any company or partners of a firm whose loan or any installment thereof from any bank or financial institution has defaulted on the date of submission of nomination papers;

Explanation.- For the purposes of clauses (j) and (j) above, "loan defaulter" shall mean, in addition to the borrower, those persons whose interests are marked as defaulters in the Banker's Book of Account of the concerned company or firm.

(k) accepts any loan received from the municipality and the same remains unpaid;

(l) fails to pay the amount due to the municipality as determined in accordance with the report of the auditor appointed by the Government;

(d) be a member of any other local government institution or national parliament;

(d) has been dismissed, removed or compulsorily retired from the service of any government or semi-government office, statutory government authority, autonomous body, local authority, co-operative society or department of defense on conviction of moral turpitude, corruption, misconduct, etc. and Five years have not elapsed since his such dismissal, removal or compulsory retirement;

(n) convicted of embezzlement of municipal funds;

(v) has been convicted and sentenced under sections 189 and 192 of the Penal Code at any time within the last five years;

(h) has been convicted and sentenced under sections 213, 332, 333 and 353 of the Penal Code at any time within the last five years;

(d) convicted as a war criminal by a national or international court or tribunal;

° [\*\*\*]

(d) declared by any court to be a fugitive defendant ° [ ;

(n) furnishes any false information or willfully conceals any information in the affidavit filed with the nomination paper.]

(3) Every candidate for Mayor or Councilor shall, at the time of filing his nomination papers, file an affidavit to the effect that he is not disqualified for election as Mayor or Councilor under sub-section (2).

## **CHAPTER IV**

### **Elections, election disputes, etc**

#### **Election time, etc**

20 (1) One councilor shall be elected from each ward of the municipality.

(2) Elections to the post of Mayor and Councilor of the Municipality shall be held at the following times -

(a) in the case of the first constitution of a municipality, within one hundred and eighty days after the coming into force of this Act;

(b) in the case of the expiry of the term of the municipality, within ninety days preceding the expiry of the said term;

(c) in the case of annulment of a municipality, within one hundred and eighty days after the date of annulment.

#### **Participation in elections**

<sup>22</sup> [20a. Subject to the provisions of section 19, no person shall be nominated by a political party or an independent candidate for participating in an election for the post of Mayor of a municipality.]

#### **Conduct of elections**

21. (1) In accordance with the rules made by the Election Commission, the Election Commission shall organize, conduct and conduct the election of Mayor and Councilor of the Municipality and in such rules the Election Commission may make provision for all or any of the following matters, namely-

(a) the appointment of Returning Officers, Assistant Returning Officers, Presiding Officers and Polling Officers for the purpose of conducting elections and their powers and duties;

(b) nomination of candidates, filing of affidavits in respect of nominations, objections in respect of nominations and selection of nomination papers;

<sup>23</sup> [(b) any matter relating to the participation in the election of a candidate nominated by a political party or independent;]

(c) the security payable by the candidate and the refund or forfeiture of such security;

(d) withdrawal of candidature and allotment of symbols;

(e) appointment of candidate's agent;

- (f) the procedure for selection in contested and uncontested cases;
- (g) the date, time and place of polling and other matters relating to the conduct of elections;
- (h) method of voting;
- (j) the procedure to be followed in the case of counting and counting of votes, declaration of results and tie votes;
- (j) custody and distribution of ballot papers and other election papers;
- (k) the circumstances under which polling may be suspended and retaken;
- (l) election expenses of candidates and all matters connected therewith;
- (d) power to arrest members of law enforcement agencies on election day;
- (d) Corrupt or illegal activities in elections and other electoral offenses and their punishment; and Penalty for Violation of Code of Conduct of Contesting Candidates.
- (n) election disputes and their adjudication and settlement;
- (v) taking cognizance for the purpose of trial of offences, exercising the powers of magistrates of certain persons empowered by the Election Commission, matters relating to the tenure of certain cases;
- (th) the power to seize vehicles, to transfer election officials, to suspend the election commission in certain cases and to appoint election observers; And
- (d) other matters incidental to the election.

(2) In respect of clause (d) of sub-section (1), the rules shall provide for imprisonment, fine or both or, as the case may be, cancellation of candidature:

Provided that the term of imprisonment for electoral offenses shall be not less than six months and not more than seven years and for violating any provision of the Code of Conduct, the term of imprisonment shall be not more than six months or a fine not exceeding fifty thousand rupees or both.

**Publication of election results**

22 The Election Commission shall, as soon as possible, publish in the Government Gazette the names of all persons elected as Mayors and Councillors.

**Filing of election petition**

23 (1) No objection shall be raised to any court or any other authority other than the Election Tribunal in respect of any election held or election proceedings undertaken under this Act.

(2) No person other than a candidate for an election shall apply to the Election Tribunal raising objections and seeking redressal regarding the said election or election proceedings.



(3) The election complaint shall be presented to the Election Tribunal constituted under section 24 of this Act in the manner prescribed by the rules.

(4) any court—

(a) to hold the election of any mayor or councilor of the municipality;

(b) to prevent the mayor or councilor of any municipality elected under this Act from discharging his duties;

(c) to prevent the mayor or councilor of any municipality elected under this Act from entering his office—

Can't ban.

**Constitution of Election Tribunal and Election Appellate Tribunal**

24 (1) For the settlement of disputes relating to elections under this Act, the Election Commission shall constitute the necessary number of Election Tribunals consisting of Judicial Officers of appropriate rank and the necessary number of Election Appellate Tribunals consisting of Judicial Officers of appropriate rank.

(2) Within thirty days from the date of publication of municipal election results in the Gazette, a case shall be filed with the Election Tribunal by raising objections and seeking redress regarding the election or election proceedings and if any such case is filed, the Election Tribunal shall dispose of the same within one hundred and eighty days from the date of filing the case. will do

(3) If any person is aggrieved by the judgment of the Election Tribunal, that person may file an appeal with the Election Appellate Tribunal within thirty days from the date of announcement of the judgment and if any such appeal is filed, the Election Appellate Tribunal shall dispose of it within one hundred and twenty days from the date of filing of the appeal.

(4) The judgment of the Election Appellate Tribunal shall be final.

**Disposition of election petitions, appeals**

25 Procedures for filing election petitions and appeals, procedures for settlement of election disputes by tribunals and appellate tribunals, jurisdiction, powers, remedies and all ancillary matters shall be determined by the rules.

**Transfer of election petition**

26 The Election Commission may transfer any election petition or appeal from one tribunal to another tribunal or, as the case may be, from one appellate tribunal to another appellate tribunal at any stage of the case on its own initiative or on the application of any party to that effect; And the trial of the transferred application or appeal shall continue from the stage to which it was transferred:

Provided that the Tribunal to which the election petition or appeal is transferred or the Appellate Tribunal may, if it thinks fit, re-summon or re-examine any witness previously examined.

## CHAPTER FIVE

### Oath, declaration of property, removal, etc

#### **oath or declaration**

27 (1) A person elected to the post of Mayor or Councilor shall, within a specified period before assuming his office, take an oath or make a solemn declaration before a person nominated by the Government in the table specified in the First Schedule and shall sign the oath or declaration.

(২) ডরঃযরহ ১৪ [twenty days] of the publication of the names of the Mayor and Councilors in the Government Gazette, the Government or the designated authority shall cause the Mayor and all the Councilors to take oath or solemn declaration.

#### **Declaration relating to property**

28 (1) To the Mayor and every Councillor, on oath or affirmation, along with the Taxpayer's Identification Number (TIN), if any, filed and accepted with the relevant tax office of the latest immovable and immovable property of him and his family members located in the country and abroad. Details, to be submitted by way of an affidavit.

(2) The mayor and every councilor, at the time of oath or affirmation, fails to file or make the last account of the property containing the TIN, if any, filed and accepted by the concerned tax office, the ownership, possession of him and any member of his family. or interest shall file a written description of all such immovable and immovable property through affidavit.

(3) If the affidavit filed under sub-section (1) and the written statement filed under sub-section (2) are found to be false, action shall be taken against the Mayor or Councillor, as the case may be, for misconduct.

**Explanation:** - For the purposes of this section, the term "member of the family" shall mean the wife or husband of the Mayor or Municipal Councilor concerned and the father, mother, son, daughter, step-son, step-daughter, brother and sister-in-law living with him and fully dependent on him.

#### **Barring candidacy for multiple posts**

29 (1) No person shall be a candidate for the post of Mayor and Councilor at the same time.

(2) If a person submits nomination papers for more than one post of a municipality at the same time, all his nomination papers shall be cancelled.

(3) If the office of Mayor becomes vacant for any reason during the term of office of the Municipality, any Councilor may contest the election for the office of Mayor:

Provided, however, that in such a case the said councilor will have to leave his post and contest.

**Resignation  
of mayor  
and  
councillor**

30 (1) A councilor may resign by expressing his intention to resign in writing to the mayor of the municipality and the councilor's office shall be deemed to have vacated as soon as such resignation is accepted by the mayor.

(2) The Mayor may resign by expressing his intention to resign in writing to the officer specified by the Government for this purpose and send a copy thereof to <sup>১৫</sup> [Municipal Executive Officer] or, as the case may be, the Chief Executive Officer and such resignation shall take effect from the date of receipt by the specified officer. .

(3) The matter of resignation under sub-sections (1) and (2) shall be intimated to <sup>১৬</sup> [Municipal Executive Officer] or, as the case may be, the Chief Executive Officer to the Council, the Election Commission and the Government within three days.

**Suspension  
of mayor  
and  
councillor**

31 (1) Where proceedings for the removal of the mayor or any councilor of a municipality have been initiated or a charge-sheet has been accepted by the court in a criminal case against him, in the opinion of the prescribed authority, if the exercise of power by the mayor or councilor is contrary to the interest of the municipality or is not expedient from the administrative point of view, the Government may, by order in writing, can temporarily suspend the mayor or councilor through

(2) Where an order of suspension is made under sub-section (1), the suspended mayor shall, within three days of the receipt of the order, hand over the duties to a member of the mayoral panel in order of seniority to perform the duties of the mayor in his absence and the proceedings against the said mayor shall not be concluded. Until or if the mayor is removed, the incumbent mayor will continue to perform his duties until a new mayor is elected in his place.

(3) Where a councilor of a municipality is ordered to be temporarily suspended under sub-section (1), a councilor shall, by resolution of the municipal council, temporarily hold such office until the proceedings brought against that councilor are concluded or, if the councilor is removed, a new councilor is elected in his place. will observe

**Removal of  
Mayor and  
Councillors**

32 (1) A Mayor or Councilor shall be removable from his office if he—

(a) absents himself from three consecutive meetings of the Council without reasonable cause despite receiving notice from the Municipality;

(b) engages in any activity prejudicial to the municipality or the State or has been convicted by a court of law of moral turpitude;

(c) refuses to perform duties or is unable to perform duties due to physical or mental incapacity;

(d) is convicted of misconduct or abuse of power;

(e) it is proved after the election that he was ineligible for election under section 19 (2);

(f) fails to hold or attend at least nine meetings annually instead of 12 monthly meetings without acceptable reason;

(g) he has not filed election expenditure account or has given false information as filed which is proved within six months of its filing <sup>39</sup> [;

(h) at any time during the term of the Municipality after the election, if it is proved that any candidate elected has furnished any false information or willfully concealed any information in the affidavit containing the seven particulars filed with the nomination paper 18 [; <sup>1</sup> ]

<sup>38</sup> [(j) fails to comply with directions given, from time to time, by the Government.]

**Explanation.-** 'Misconduct' referred to in this sub-section includes abuse of power, non-declaration of assets under section 28 or filing of false affidavits, and unconstitutional activities, corruption, taking unfair personal advantage, favoritism, nepotism, willful maladministration, etc. will explain.

(2) The Government may, by notification in the Official Gazette, remove the Mayor or Councilor for the reasons mentioned in sub-section (1).

(3) Before finalizing the decision to remove, the complaint shall be investigated and the mayor or councilor concerned shall be given an opportunity to defend himself, in the manner prescribed by the rules.

(4) A mayor or councilor shall be removed immediately after an order passed by the prescribed authority under sub-section (2) or a proposal for removal under sub-section (3) is approved by the prescribed authority.

(5) If the Mayor or Councilor of a municipality is removed from his office under sub-section (1), he may appeal within thirty days from the date of this order to any authority appointed by the Government.

(6) If an appeal is made under sub-section (5), the appellate authority may stay the order of removal made under sub-section (2) pending its disposal and may vary, cancel or uphold the order after giving an opportunity to the appellant to be heard. .

(7) The order passed by the Appellate Authority under sub-section (6) shall be final.

(8) Notwithstanding anything contained in any other provision of this Act, no person removed under this section shall be eligible for election to any office for the remainder of the term of office of the municipality concerned.

**Vacancies and re-election of Mayor and Councillors.**

33 (1) The post of mayor or councilor of a municipality shall be vacant, if he-

- (a) is disqualified from being a Mayor or Councilor under section 19 (2); or,
- (b) fails to take an oath or file an affidavit under section 28 within the time specified in section 27; or,
- (c) resigns in accordance with section 30; or,
- (d) removed under section 32; or,
- (e) elected as a Member of Parliament; or,
- (f) died.

(2) If the office of mayor or councilor falls vacant before one hundred and eighty days before the expiry of the term of the municipality under sub-section (1), the vacancy shall be filled within ninety days of the vacancy, and the person elected to the said office shall serve only for the remainder of the term of the municipality. Will hold the position.

**Mayor's responsibilities and transfer of documents**

34 After the election, if the Mayor-elect, or the Panel Mayor or any other Councilor is acting as Mayor, all cash, property, documents, registers and seals of the Municipality in the possession or control of the previous Mayor or the Panel Mayor or the Mayor-in-charge Councilor shall, as soon as practicable, or the Govt. At a date, time and place fixed by the officer appointed by the newly elected Mayor or the nominated panel as the case may be, the Chief Executive Officer of the Municipality or, as the case may be, <sup>20</sup> [Municipal Executive Officers] shall explain to the Mayor or the Councilor in charge of the Mayor.

**Membership of Mayor and**

35 If any elected mayor or councilor of a municipality is declared disqualified or removed and loses membership in accordance with the provisions of this Act, if such removal is annulled on appeal, or if his disqualification is vacated, he shall continue in office for the remainder of the term.

**Councilors  
reinstated**

**Penalty for  
delay**

36. If any mayor or panel mayor or any councilor in charge of the mayor fails to hand over the duties within the specified time under section 34, he shall be liable to a fine not exceeding Tk 20,000 (twenty thousand).

**Rights and  
Responsibilities  
of Mayor  
and  
Councillors**

37 (1) The mayor and every councilor of the municipality shall have the right to participate in the decision-making process of the municipal meeting subject to this bye-law and related provisions.

(2) Every member of the Parishad may raise questions or demand clarification on matters under the administrative jurisdiction of the Parishad or Standing Committee to the mayor of the municipality or the chairman of the concerned standing committee in the manner prescribed by the rules.

(3) The Mayor and Councilors of the municipality may draw the attention of the municipality and the relevant authorities to any work or project implemented by the municipality or any other authority.

(4) The Mayor and Councilors shall conduct the affairs of the Municipality in the public interest in accordance with the provisions of this Act and shall be jointly responsible to the Council.

**motion of  
no  
confidence**

38 (1) A motion of no confidence shall be moved to remove the Mayor or any Councilor from office on the ground of violation of any provision of this Act or serious misconduct or physical or mental incapacity.

(2) Any councilor personally moving a motion of no confidence under sub-section (1) shall submit a notice signed by the councilor to a majority of the total members of the municipality, to an officer of the first class appointed by the authority prescribed by the rules.

(3) After receiving the motion of no confidence, the said officer shall investigate the complaints within one month and if the complaint is proved in the investigation, he shall issue a show cause notice within ten working days.

(4) If the reply to the show cause given under sub-section (3) is not considered satisfactory, the appointed officer shall, within fifteen working days of the receipt of the notice, convene a meeting of the councilors elected for the purpose to consider the motion of no confidence or request the Mayor to convene the meeting and shall call a meeting of all the councilors elected. Confirm sending notice.

(5) In the case of a no-confidence motion against the Mayor, one councilor preferably from the Mayor's panel and in the case of a no-confidence motion

against any councillor, the Mayor of the municipality shall preside over the meeting:

Provided, however, that in case the Mayor is absent or unavailable for any other reason, a councilor from among the councilors present shall be elected as president on the basis of consensus.

(6) The officer appointed under sub-section (2) shall attend the meeting as an observer.

(7) For the purposes of this section the meeting called shall not be adjourned except for any reason beyond its control and the quorum of the meeting shall be half of the total number of elected members.

(8) At the beginning of the meeting, the President shall read out the motion of no confidence in the meeting and call for an open discussion:

Provided, however, that such open discussion or debate shall not be suspended except for reasons beyond its control.

(9) If the debate or open discussion is not concluded within three hours of the commencement of the meeting, the vote on the motion of no confidence shall be taken by secret ballot.

(10) The President of the meeting shall not express any public opinion for or against a motion of no confidence and he shall cast a vote under sub-section (9) by ballot, but the President may not cast a second or casting vote.

(11) The appointed officer shall immediately after the conclusion of the meeting send the minutes of the meeting together with the copy of the motion of no confidence and the results of the vote to the Government.

(12) If the motion of no confidence is passed by two-thirds of the total number of members of the municipality, the seat of the mayor or councilor concerned shall be declared vacant by the Government by gazette notification.

(13) No such notice of no-confidence motion shall be given unless six months have elapsed after the said date unless the motion of no-confidence is carried by two-thirds of the total number of members or the meeting is not held for want of a quorum.

(14) A notice of no-confidence shall not be brought against the Mayor or any Councilor of the Municipality within six months of his assumption of office.

**Leave of  
absence of  
Mayor and  
Councillors**

39 (1) The Council may grant a maximum of three months leave in a year to the Mayor or Councilor for reasonable cause.

(2) If a councilor is on leave or is absent for any other reason, the mayor of the municipality may depute the councilor of any neighboring ward for the period of absence.

(3) If a Mayor or Councilor requires leave for an additional period of leave as described in sub-section (1), the Government may grant such additional period of leave.

**Mayor's  
Panel**

40 (1) Within one month of the first meeting held after the constitution of the Municipality, the Councilors shall elect from among themselves a mayoral panel consisting of three members preferably:

Provided that the elected mayoral panel of three persons shall consist of one councilor from a reserved seat.

2) If the mayor is unable to perform his duties due to absence, illness or any other reason, a councilor from the mayor's panel shall perform the duties of the mayor in priority until he is able to perform his duties again.

(3) If the post of Mayor becomes vacant due to resignation, removal, death or any other reason, a councilor from the Mayor's panel shall perform the duties of the Mayor in priority until the new Mayor takes over.

(4) According to the provisions of this Act, if any member of the Mayor's panel is ineligible or refuses to perform his duties due to personal reasons, a councilor shall be included in the Mayor's panel to replace him by the decision of the Council within one month from the date of the refusal.

(5) If the mayoral panel is not selected from among the members under sub-sections (1) and (4), the Government may form a mayoral panel as required.

**Publication  
of  
resignation,  
removal,  
etc. in  
Gazette**

41 Municipal elections, resignations and removals or vacancies of mayors and councilors shall be notified by the prescribed authority in the official gazette.

**Appointment  
of  
administrators  
in particular  
situations**

42 <sup>23</sup> [(1) Where a new municipality is established under this Act or the term of a council expires, until a new council is constituted by election, for the purpose of carrying out its functions a Government officer with administrative experience engaged in the work of the Republic or such other person as the Government may think fit. may appoint persons as administrators.]

(2) The Government may, if necessary, appoint a committee consisting of such number of members as it may think fit to assist the Administrator in the performance of his duties.

(3) The Administrator and the members of the Committee, if any, shall exercise the powers of the Mayor and Councilor respectively.



(4) Notwithstanding anything contained in this Act, a Municipal Administrator appointed under sub-section (1) shall in no case hold office for more than one term or for a period exceeding 180 (one hundred and eighty) days.

**Certain persons shall be considered as Councillors**

43 Notwithstanding anything contained in this Act, if a rural area is included in a municipality after being declared an urban area, the chairman or member elected to the Union Parishad from that area shall be considered as a councilor of the municipality.

## **CHAPTER SIX**

### **MUNICIPAL PROPERTY, CONTRACTS, ETC**

**Municipal property**

44 (1) Government by rule—

(a) make provision for the management, maintenance, development of property owned or vested in the municipality;

(b) control the transfer of said property;

(c) may, in carrying out the purposes of this Act, provide for the compulsory acquisition of immovable property by the Municipality;

(d) for carrying out the purposes of this Act or the rules, such property may be used for developmental purposes by the society

(2) Municipality—

(a) carry out the overall management and improvement of property owned by it or received from the Government or other authorities;

(b) Prepare details of all properties under its control through development survey and update the same every year and, where applicable, prepare asset descriptions, maps and send a copy of the same to the Government;

(c) acquire immovable and immovable property by donation, purchase or otherwise;

(d) If it is necessary to acquire property outside the boundaries of the municipality for the purposes of this Act, the property may be acquired with the approval of the Government.

**Acquisition of land near roads**

45 (1) If it is felt necessary to acquire land near a road in the public interest, the municipality may acquire the required amount of land in accordance with the law after taking the approval of the Government.

(2) In the case of acquisition of land under sub-section (1), the Municipality shall bear the full cost of acquisition in accordance with the law prescribed.

<b>Property Management</b>	<p>46 (1) A municipality may manage its property in the following manner, namely:-</p> <p>(a) may lease or sell the immovable property following due process on the basis of open competition as decided in the meeting of the Council and may use the immovable property on lease or rent in the same process;</p> <p>(b) may sell or transfer any property with the prior approval of the Government if it is ascertained that it will result in greater benefit to the municipality and the immovable property concerned will not be necessary for the municipality to fulfill any of the purposes, duties and responsibilities of this Act.</p> <p>(2) The immovable property received from the Government or any department or organization of the Government shall be sold with the prior approval of the Government.</p>
<b>Debt collection</b>	<p>47 The mayor, councillors, <sup>२२</sup> other officers and employees of the municipality [including the municipal executive officer] and every person responsible for the administrative work of the municipality or acting on behalf of the municipality is found liable for the loss, waste or misappropriation of any money of the municipality or property owned by the municipality as a direct result of his negligence or misconduct. It will be recoverable as government demand</p>
<b>contract</b>	<p>48 All contracts executed by or on behalf of the Municipality -</p> <p>(a) shall be in writing and shall be published as having been executed in the name of the Municipality;</p> <p>(b) be approved by the Council before execution; And</p> <p>(c) The Mayor shall inform the Council at the next meeting held after the execution of the agreement</p>
<b>Council dissolution and re-election</b>	<p>49 (1) The Government may, by notification in the Gazette, declare any council dissolved for the following reasons, namely-</p> <p>(a) if a municipality fails to pass the next year's budget before the end of the current financial year; or</p> <p>(b) if 75% of the elected councilors of the municipality resign; or</p> <p>(c) if 75% of the elected councilors of the municipality are removed by reason of disqualification under the provisions of this Act; <sup>२७</sup> [or]</p> <p>(d) fails to collect at least 75% of the total taxes, cesses, rates, tolls, fees, etc. levied in the year without reasonable cause <sup>24</sup> [ ; or]</p>

२९ [(e) If the salaries and allowances of municipal officers and employees are in arrears for 12 (twelve) months without reasonable cause.]

(2) Before canceling a municipality under sub-section (1), the municipality concerned shall be given a reasonable opportunity of hearing.

(3) In addition to what is mentioned in sub-section (1), if in the opinion of the Government any municipality consistently fails to perform the duties assigned by this Act and other laws and rules, regulations, etc. or abuses the municipal powers, the Government may, by notification in the Official Gazette, dissolve the said council. Can:

Provided that, before disbanding a municipality under this sub-section, the Government shall notify the municipality concerned of the proposal along with the reasons for disbandment and take a final decision after considering any objections or explanations.

(4) Gazette notification under sub-section (1) or (2) shall come into force from the date of publication thereof and from the same date the seats of the Mayor and all Councilors of the Municipality shall be deemed to have become vacant and re-elections shall be held within the specified period in accordance with the provisions of this Act. will have to do

(5) The mayor and councilors of the reconstituted municipality shall be elected for the remaining term of the municipality.

(6) During the interim period between dissolution and reconstitution of the Parishad, the Government shall take measures in accordance with section 42 (relating to appointment of administrators) of this Act.

(7) All the assets and liabilities of the municipality shall extend from the date on which the administrator constituted under sub-section (6) takes charge until the municipality is reconstituted and for the remainder of the term of the municipality after taking charge of the reconstituted municipality under sub-section (4).

### **3RD PART**

#### **CHAPTER II**

#### **MUNICIPAL DUTIES AND FUNCTIONS, COMMITTEES, ETC**

##### **Duties and functions of**

50 (1) The main responsibility of the municipality shall be -

- municipalities**
- (a) provide all kinds of civic benefits to the citizens of their respective areas in accordance with the provisions established by this Act and other laws;
  - (b) to co-ordinate and undertake co-ordinated activities between the municipal administration and public officers and employees;
  - (c) Formulating and implementing urban development plans including infrastructural development, building control to provide municipal services to citizens in municipal areas; And
  - (d) To maintain public safety and public order
- (2) For the purposes of sub-section (1), the functions of the Municipality shall be—
- (a) supply of water for residential, industrial and commercial use;
  - (b) drainage of water and sewage;
  - (c) waste management;
  - (d) formulation of plans aimed at ensuring economic and social justice;
  - (e) construction of roads, footpaths, terminals for the convenience of public transport, passengers and goods for the development of communication systems;
  - (f) the functions provided for in the Registration of Births and Deaths Act, 2004 (Act No. 29 of 2004);
  - (g) traffic management plan to facilitate transport management, provision of passenger canopies, road lights, parking spaces for vehicles and bus stands or bus stops for the convenience of pedestrians;
  - (h) maintenance of public health and environment, planting and maintenance of trees;
  - (j) establishment and management of markets and slaughterhouses;
  - (j) assistance in creating and expanding educational, sports, recreational, recreational and cultural opportunities, enhancing the beauty of municipal areas; And
  - (k) other functions assigned by law, rule, regulation, bye-law or order made by the Government
- (3) If the municipality does not have its own technical management and financial capacity to perform any of the above-mentioned functions, the above-mentioned functions shall not be suspended for the convenience of citizens.
- (4) If any work mentioned in sub-sections (1) and (2) is not performed, the Government may issue necessary instructions in this regard.
- (5) In addition to the above-mentioned functions, the Municipality shall perform the functions specified in the Second Schedule in accordance with its funds.

<b>Functions given by Govt</b>	<p>51 (1) Apart from the functions provided for in this Act, the Municipality shall perform any duties and functions such as primary education, preventive and curative health care, transport, fire prevention and fire safety and poverty alleviation in municipal areas, etc. with the approval of the Government.</p> <p>(2) If any other duty or function is proposed to be performed by the Municipality, the Government may, if it thinks fit, order the performance by issuing a notification.</p>
<b>Annual Report of the Municipality</b>	<p>52 (1) The Municipality shall prepare an administrative report of the activities of the Municipality every year in such form and manner as may be prescribed by the Government and shall publish the same by 30th September of the following year.</p> <p>(2) If the report is not published within the time specified in sub-section (1), the Government may withhold the grant in favor of the municipality.</p> <p>(3) The responsible officer of the municipality shall prepare the draft administrative report in consultation with the mayor and present the same to the council for final approval.</p>
<b>Publication of citizenship certificate</b>	<p>53 (1) Every municipality formed under this Act shall, following the prescribed procedure, publish the details of providing various types of citizen services, the conditions of providing services and the details of ensuring the provision of services within a specified period, which shall be called "Citizen Charter".</p> <p>(2) The Government shall make guidelines for Municipalities regarding Model Civil Charters and shall, subject to municipal laws and regulations, have the power to make necessary modifications and additions to these Guidelines:</p> <p>Provided, however, that if any such alteration or extension is made, the same shall be intimated to the Government.</p> <p>(3) The making of rules relating to civil certificates shall include the following matters, among others, namely:-</p> <ul style="list-style-type: none"> <li>(a) accurate and transparent details of each service provided by the Municipality;</li> <li>(b) the cost of providing services provided by the municipality;</li> <li>(c) eligibility and procedures for receiving and claiming services;</li> <li>(d) fixed period of service;</li> <li>(e) responsibilities of citizens in relation to services;</li> <li>(f) assurance of service;</li> <li>(g) Grievance redressal procedures relating to provision of services; And</li> </ul>

(h) Penalties for breach of undertaking mentioned in the charter

**Better use  
of  
information  
technology  
and good  
governance**

54 (1) Every municipality shall use advanced information technology within specified time limits to ensure good governance

(2) For the purposes of sub-section (1), the Government shall provide financial and technical assistance and other assistance.

(3) Municipalities shall make arrangements to inform the citizens through advanced information technology of all the services provided by the government, including the matters relating to modern services as described in the Citizen Charter.

**Constituency  
of standing  
committee  
by  
municipality**

55. (1) After the establishment of the municipality, in the first meeting or in any subsequent meeting, after determining the scope of work and the period of two and a half years, the following standing committee shall be formed according to the rules, namely:-

(a) Establishment and Finance;

(b) assessment and collection of taxes;

(c) accounts and audits;

(d) urban planning, civic services and development; And

(e) law and order and public safety;

(f) communication and physical infrastructure;

(g) women and children;

(h) fisheries and animal resources;

(j) information and culture; And

(j) Observation, monitoring and regulation of market prices.

(2) Apart from the above-mentioned standing committee, each municipality may form additional standing committees as necessary and especially for coordination with non-governmental organizations, disaster management, market management, women's development, poverty alleviation and slum development, health, water and sanitation, garbage removal and A standing committee may be constituted for matters such as transfer etc

(3) The Standing Committee of the Parishad shall consist of a maximum of 5 members and the Chairman and members of the said Committee shall be elected from among the councilors at the meeting of the Parishad:

Provided, however, that the Mayor shall not be the Chairman of any Standing Committee;

Provided further that no councilor shall be the chairman of more than one committee without the decision of the council.

(4) In those municipalities where it will not be possible to implement separate standing committees on all the matters framed in this section due

to the small number of elected members, a standing committee shall be constituted for more than one matter in those municipalities.

(5) At least 40 percent women members shall be kept in each standing committee

(6) The Mayor shall be an ex-officio member of all Standing Committees and the Mayor shall be the Chairman of the Standing Committee on Law and Order and Public Safety.

(7) The chairman or member of the standing committee may resign from the office of the committee in writing and the letter of resignation in this regard shall be addressed to the Mayor and the resignation shall be effective from the date of receipt of such letter.

(8) If the chairman or member of any standing committee is likely to be absent for more than two months due to unavoidable reasons, the Parishad may take a decision in its meeting to assign the responsibility of the relevant post of the said standing committee to another councillor.

(9) The Standing Committee may include (CO-OPT) any person who is an expert in the relevant subject as a member of the Committee to facilitate its work.

(10) Co-opt members shall not have any voting rights in the decision-making process of the Standing Committee meeting.

**Functions of Standing Committees**

56. (1) The functions of the standing committee shall be determined by the by-laws, but until the by-laws are made, the functions of the standing committee shall be determined in the general meeting of the council.

(2) The recommendation of the Standing Committee shall be considered at the next meeting of the Council and if any recommendation is not accepted by the Municipal Council, the correctness and reason thereof shall be communicated to the Standing Committee in writing.

(3) All proceedings of the Standing Committee shall be final subject to the approval of the General Meeting of the Council

**Attendance of citizens in the meeting**

57. If an expert person or a citizen or citizens express their desire, the council or its standing committee or any other committee may allow them to attend the relevant meeting and take their opinion on a specific matter and if appropriate, take a decision or recommendation in the light of the said opinion.

**Matters of interest to municipal**

58. (1) As a member of the Standing Committee of the Parishad or any other committee, the member concerned shall not participate in the said meeting on all matters or matters in which the said member's conduct or financial involvement is.

**mayors and  
councillors**

(2) The deliberations and decisions of the meeting of the Council or the Standing Committee or any other committee shall be recorded and preserved and shall be preserved with the signature of every councilor or member present and the recorded minutes shall be signed by the Mayor or the President and as the case may be (where applicable) It will be presented for ratification in the meeting.

(3) The minutes mentioned in sub-section (2) shall be recorded and preserved for the information of the municipal council or the concerned members within fourteen working days of the meeting and any person may collect a copy of the minutes on payment of the fee prescribed by the municipality.

**Integrated  
Development  
of Municipal  
Areas**

59. One or more committees shall be formed with the aim of ensuring coordination in other matters including development activities through the involvement of the concerned people of the municipal area, the composition and scope of which shall be determined by the rules.

**completed  
work**

60. The Government may, by rules, make provisions regarding the planning, estimation, approval process, implementation etc. of works to be carried out by the municipality.

**Preservation  
of  
documents,  
reports, etc**

61. Municipality-

(a) preserve all records of its proceedings in the prescribed manner;

(b) prepare and publish periodic reports and statements;

(c) publish such information as the Government may from time to time determine in relation to the affairs of the Municipality.

### **CHAPTER III**

#### **Executive power and management**

**Executive  
power and  
management**

62. (1) The Council shall have power to do everything necessary for the proper performance of all functions under this Act.

(2) The executive power of the municipality shall be exercised by the mayor, councilor or any other officer empowered by the council.

(3) All acts shall be published as having been received in the name of the municipality.

(4) The proposal for division of executive powers under sub-section (2) for the purpose of expediting the day-to-day service responsibilities of the municipality shall be approved by the municipality and the municipality shall have the power to amend the same from time to time if necessary, which shall be finalized through a special meeting.



**Council meetings and performance**

63. (1) The Parishad shall hold at least one meeting every month and the Mayor or, as the case may be, the Panel Mayor shall preside over the meetings of the Parishad.

(2) Ordinarily: The Mayor shall convene the meeting of the Council and in the absence of the Mayor the Panel Mayor may convene the meeting.

(3) A quorum shall be constituted in the presence of at least 50% of the Councillors; If there is no quorum in any meeting, then the chairman of that meeting shall adjourn such meeting or wait until a reasonable time and conduct the meeting if the required quorum is present.

(4) If the meeting is adjourned in respect of sub-section (3), the same agenda shall be discussed at the next meeting and a decision shall be taken, for which no quorum shall be required.

(5) Unless there is any provision to the contrary in this Act regarding the agenda of the meeting, the decision shall be taken on the basis of the votes of the majority present at the meeting and the chairman shall clearly inform the said meeting whether any proposal has been accepted by the majority vote or not.

(6) The councilors present at the meeting shall raise their hands and express their consent to the proposal:

Provided, however, that if the Municipality deems it necessary to take a decision by secret ballot, then the decision shall be taken accordingly.

(7) If the agenda of the meeting requires the opinion of any expert on technical and important matters, the Parishad may invite one or more experts to the meeting to give opinion on the said matter or matters.

**Consideration of opinion and decision of Standing Committee**

64. Municipal budget formulation, annual development program project acceptance, master plan preparation, manpower recruitment, execution of various contracts, etc. shall be based on the opinions and decisions of the relevant standing committee.

**Personal Financial Concerns of Councillors**

65. (1) If any councilor has the possibility of directly or indirectly benefiting from personal financial matters through the decision of the agenda of the meeting, or any other personal interest is involved, then the said councilor shall inform the meeting before the relevant agenda is discussed and he shall not participate in the said agenda of the meeting:

Provided that this provision shall not apply to the collection of municipal taxes or other municipal service matters.

(2) If any councilor himself or any dependent member of his family is employed by any business establishment or any person and is likely to benefit from any contract with the said business establishment or person, he shall 26 [Municipal Executive Officer] or, as the case may <sup>নব</sup>, The chief executive officer will inform the matter in writing.

(3) <sup>২৭</sup> [Municipal Executive Officer] or, as the case may be, the Chief Executive Officer shall supply and preserve the matter concerned for the information of all other Councillors.

২৮

**Attendance  
at meetings  
of  
[Municipal  
Executive  
Officer] or  
Chief  
Executive  
Officer.**

66. <sup>২৯</sup> The [Municipal Executive Officer] or the Chief Executive Officer or any other officer duly empowered to do so shall participate in the meetings of the Municipality or the Committee relating to the Municipality as a supporting officer.

**Discussing  
issues of  
public  
importance**

67. (1) Any councilor may send a written notice to the <sup>৩০</sup> [Municipal Executive Officer] or, as the case may be, the Chief Executive Officer to discuss a matter of public importance and shall clearly state the matters to be discussed.

(2) Such notice shall be supported by at least two other councilors and shall be sent to the officer concerned at least 48 hours before the date on which the matter is proposed to be discussed and after receipt of such notice 31 [Municipal Executive Officer] or, as the case may be, <sup>৩১</sup> Chief The Executive Officer shall immediately present it to the Mayor.

(3) If the discussion proposed to the Mayor seems to be of sufficient public importance, he shall arrange for such discussion:

Provided, however, that if the majority (51%) of the members present consider the matter important, the matter shall be discussed.

(4) Not more than two matters of public importance shall be discussed in the same meeting.

**Councilors'  
right to**

## information

68. (১) অ পড়হপৰমডুৎ ংযধমম নব বহঃরঃমবফ ংড় ত্বপবরাব রহভডুৎসধঃরডুহ ডুহ ধতু রসডুৎঃধহঃ সধঃঃবৎ ত্বমধঃঃরহম ংড় ংযব ফবাবমডুৎসবহঃ ধপঃরারঃরবং ধহফ ধফসরহরংঃধঃঃরডুহ ডুভ ংযব সঁহরপৰডুৎধমরঃ ধহফ ংযধমম ত্বহফ হডুঃরপব রহ ংযরং ত্বমধৎফ ংড় ংযব ৩২ [Municipal Executive Officer] or, as the case may be, the Chief Executive Officer, at least twenty-four hours before the meeting to collect the prescribed information. .

(2) The Mayor shall make a preliminary statement on the matter on the same day or give a detailed statement on the matter at a later date.

## Recording of meeting minutes, preservation etc

69. (1) The names of the councilors present shall be mentioned in the minutes of the meetings of the council and of the various committees and the minutes shall be preserved in a bound book and each minute shall be approved at the next meeting and the minutes of the meeting shall be sent to the Government within fourteen days of approval.

(2) The minutes of every meeting of the council shall be distributed among the councilors in due time and shall be displayed at the place specified by the municipality if they are not confidential.

(3) Copies of the minutes, other than confidential, shall be furnished to any citizen on payment of the prescribed fee.

(4) The minutes of every meeting of the Council shall be recorded in a register kept for the purpose.

## Rules of Procedure

70 The Government may make rules relating to the performance of the functions of the municipality or its committees.

## Validity of decisions taken

71. (1) No decision or minutes of the Parishad or its committee shall be invalid for the following reasons-

(a) any vacancy or any defect in the process of constitution of the Council or its Committee at the initial or subsequent stage;

(b) if any Councilor votes or participates in a meeting in contravention of the provisions of this Act;

(c) any error or irregularity in any particular matter which does not vitiate the validity of the decision

(2) Unless otherwise provided in this Act, the decision of the Parishad or its committee shall be deemed to have been free of any error or irregularity after it has been adopted in accordance with the provisions of this Act.

(3) No act of the Municipality or the minutes of any meeting shall be invalid because any office was vacant or there was any defect in the process of

constitution of the Municipality or any member was not qualified to participate in or vote at any meeting of the Council.

## CHAPTER IV

### Municipal officers and employees, provident fund etc

#### Municipal jobs

72. (1) There shall be a service called the Municipal Service for the municipality and the said service shall be constituted under the prescribed conditions and manner.

(2) The Government may, from time to time, determine the manpower structure and the posts to be filled by persons included in the municipal service, according to the classification of the municipality.

#### Municipal officers and employees

73. (1) The Prescribed Authority may appoint 33 [a Municipal Executive Officer and the requisite number of officers in grades 9th to 12th] to any Municipality in accordance with its manpower structure in such manner and on such terms as may be prescribed by rule, who shall perform all duties assigned to them in the Municipality under this <sup>ଅଂଶ</sup>.

(2) A municipality under this Act may employ such number of employees as the prescribed authority may deem necessary, subject to the observance of rules in accordance with the approved organizational structure, for the smooth performance of its functions under the prescribed conditions.

(3) The conditions of service of the officers and employees mentioned in sub-sections (1) and (2) shall be determined by the rules.

(4) Subject to the provisions of this Act and the rules made thereunder—

(a) the prescribed authority of the Municipalities may suspend, remove, depose or inflict any other punishment on any person appointed under sub-section (1);

(b) The municipal authority may suspend, remove, demote or inflict any other punishment on any person appointed under sub-section (2) in accordance with the relevant rules.

(5) Any officer or employee appointed under sub-sections (1) and (2) may be transferred from one municipality to another municipality under his jurisdiction by the prescribed authority for administrative purposes.

<sup>୭୮</sup> [(6) If a municipality is formed out of a Union Parishad or a part of a Union Parishad, the manpower of the said Union Parishad or a part of the Union Parishad, as the case may be, officers and employees shall

be assimilated into the said Municipality according to the salary scale against their qualifications and respective posts.]

**Chief Executive Officer**

74. (1) Notwithstanding anything contained in section 72, the Government may appoint a Chief Executive Officer for any specified municipality.

(2) The Chief Executive Officer shall be appointed on such terms as may be prescribed by the Government.

(3) If an officer is appointed under sub-section (1) for a municipality, he shall be the chief executive officer of that municipality and other officers and employees of the municipality shall be subordinate to him.

(4) The Chief Executive Officer shall have the right to attend and participate in the deliberations of any committee of the Municipality, and in any such meeting, he shall, with the permission of the President, make any statement or explanation and inform the meeting of any violation of law or rule, and in such meeting the Chief Executive Officer shall He shall have no right to vote or to raise motions.

**Power of Government to vest public officers and employees in municipalities**

75. (1) For the purpose of carrying out the general or special functions of the municipality under the prescribed conditions, the Government may assign the public officers or employees to the Parishad for a specified period, the officers or employees so transferred shall perform duties under the supervision and general control of the concerned municipality.

(2) If it thinks fit to take disciplinary action against any Government officer or employee transferred or assigned under sub-section (1), the Municipality shall make a preliminary inquiry and send a report to the appointing authority of the officer concerned.

(3) The officers or employees transferred to the Council under sub-section (1) shall, in addition to the general duties assigned to them, perform such other duties as may be determined by the Municipality from time to time as officers or employees of the Municipality.

(4) The officers or employees transferred or assigned under sub-section (1) shall be responsible for the execution of such Government schemes, schemes, etc., not transferred under this Act or rules to the Municipality.

(5) Salaries, allowances and other financial benefits of the officers or employees transferred in accordance with sub-section (1) shall be paid by the Government until the municipality concerned acquires the capacity to bear the expenses.

**Provident Fund, etc**

76. (1) The municipality may establish and maintain a provident fund and direct any of its officers or employees to participate in such fund and such

officer or employee shall contribute to it in such manner and amount as directed.

(2) The Municipality shall, subject to the prior approval of the Government, pay gratuity to its officers and employees on retirement, in such manner as may be prescribed, and the amount of the gratuity fund shall be expended in accordance with the rules only for the payment of dues to the employees.

(3) The Municipality may, with the prior approval of the Government, grant special comfort to the family of an officer or employee who dies of disease or is injured or injured in the performance of official duties.

(4) The municipality may direct, in the prescribed manner, the administration of social insurance schemes for its officers and employees and the payment of contributions thereto.

(5) The municipality shall constitute and operate a welfare fund in the prescribed manner from which any special relief granted under sub-section (3) or any other assistance as may be directed shall be paid.

(6) The Municipality shall contribute to the fund constituted and maintained under sub-section (5) such part or such amount as may be directed by the Government.

**Determination  
of  
employment  
matters**

77. By Government Rules -

(a) may prescribe the terms and conditions of employment of the officers and employees of the Municipality;

(b) may fix the grades of pay of municipal officers and employees;

(c) shall preliminarily determine in the establishment schedule the number of manpower to be employed in the municipality;

(d) determine the qualifications for various posts under the Municipality;

(e) prescribe the policy to be followed in the appointment of persons to various posts in the Municipality;

(f) determine the procedure for investigation and appeal against orders imposing punishment in cases of disciplinary action brought against municipal officers and employees; And

(g) may make provision for such other matters as may be necessary for the full performance of duties by the officers and employees of the Municipality.

**Relationship  
between  
elected  
municipal  
representatives  
and**

78. (1) In order to ensure the legal rights and professional independence of the officers and employees under the control of the Council, the Government shall make a code of conduct for determining the relationship between the elected representatives and the officers and employees under the control or entrusted to the Council.

- municipal officials**
- (2) The opinion of the officers present at any meeting of the Parishad shall be mentioned in the minutes of the meeting
- (3) The elected representatives of the Parishad and the officers and employees under the control of the Parishad or entrusted to the Parishad shall show mutual respect and avoid any form of indecent behavior.
- (4) The Government shall consider any complaint of violation of the Code of Conduct of Elected Public Representatives and take necessary action.
- (5) Even if any public representative elected by the municipality gives verbal instructions to any officer or employee for the execution of any work, he shall be informed in writing before the execution of the work concerned.

## **CHAPTER FIVE**

### **Registration of Tutorial Schools, Coaching Centers, Private Hospitals, etc**

- Registration of Tutorial Schools, Coaching Centers, Private Hospitals, Paramedical Institutes, etc**
- 79 (1) Privately or privately run tutorial schools, coaching centres, private hospitals or clinics, paramedical institutes shall not be started in any municipal area on or after the date of coming into force of this Act without the registration of the municipality.
- (2) Municipalities may register tutorial schools, coaching centres, private hospitals, paramedical institutes, etc. in their municipal area, subject to rules or orders made by the Government for this purpose.
- (3) On receipt of an application under sub-section (2), the Municipality shall, after making necessary inquiries and finding it satisfactory, register the same and fix the monthly fee.
- (4) All tutorial schools, coaching centers, private hospitals, paramedical institutes, etc. existing at the time of promulgation of this Act, shall be deemed to be registered if all such institutions apply for registration in the time and manner prescribed by the Government.
- (5) The registration of every establishment registered under sub-sections (3) and (4) shall be renewed every year on payment of the prescribed fee.
- Penalty for failure to register**
80. Any person who establishes or operates a tutorial school, coaching center, private hospital or paramedical institute without the registration of the municipality or continues to operate such institution or hospital or institute after the registration thereof has been cancelled, shall be punished with a fine of twenty five thousand rupees and after the date of imposition of such penalty. If the concerned institution or hospital is not stopped, two years of rigorous imprisonment and an additional fine of one thousand rupees per day will have to be paid.
- Collection of fees by**
81. The Government may collect an annual fee at the rate fixed by the Government from the registered and managed Tutorial Schools, Coaching

**the municipality** Centres, Private Hospitals, Paramedical Institutes, etc. in the area under its jurisdiction.

**Re-registration** 82. (1) Registration of any tutorial school, coaching centre, private hospital, paramedical institute, etc. except for the irregularities mentioned in the terms of section 79 (4), canceled due to own fault and punished as per section 80 shall be liable for re-registration within six months with double the amount of fine. You can apply by reference.

(2) If the application submitted under sub-section (1) is found satisfactory after investigation, the Municipality may re-register the institution concerned: Provided that no institution shall avail itself of the opportunity of re-registration under this section more than once.

## **4TH PART**

### **CHAPTER ONE**

#### **Document subpoena, inspection, etc**

**Power to subpoena documents** 83 The Government may at any time from the Municipal Authority -  
(a) any deed or other document;  
(b) statements, plans, estimates, written statements, accounts or statistics;  
(c) any other report;  
may summon and the Municipal Authority shall be bound to comply with such directions

**Power of Inspection of Government Designated Officer** 84. Government, any department of municipality, service and development activities, construction work or property may receive report by inspection by its officer.

**Power of Government to issue directives to municipalities** 85. (1) For the purposes of this Act, the Government may direct any municipality or any person or authority in charge of the municipality to take any necessary steps within the prescribed period.  
(2) If the Government after due inquiry considers that any municipality or person or authority has failed to comply with any direction given under sub-section (1), the prescribed authority may appoint a person or persons to carry out such direction. and may direct the municipality to meet the expenditure in respect thereof.  
(3) If the expenses of such expenses are not paid, the prescribed authority may by order direct the custodian of the money deposited in the Municipal



Fund to pay the said expenses or to pay such amount in installments as may be due.

**Exercise of powers relating to municipal activities**

86. (1) If the Government considers that any function performed or selected for performance by any municipality or on its behalf is not in accordance with law or is contrary to public interest, the prescribed authority may by order—

- a) may cancel the work;
- b) implement any proposal or order passed by the municipality;
- c) prohibit the implementation of any proposed action;
- (d) may direct the Municipality to take specific action in such cases

(2) If the prescribed authority passes any order under sub-section (1), the municipality concerned may, within thirty days of receipt of the order, appeal to the Government against the order and the Government may uphold or modify or cancel the order.

**Government's power to direct and investigate**

87 (1) Notwithstanding anything contained in this Act, the Government shall, in accordance with the State policy, provide directions for the financial management of any municipality, management of officers and employees, formulation of various types of projects and selection of project beneficiaries, management of activities of municipalities and wards, etc. may and the Municipality shall necessarily follow such directions

(2) One or more officials appointed by the Government shall investigate any complaint received regarding the implementation of any project or any financial irregularity or any other irregularity of the municipality and the concerned municipality shall cooperate in conducting the said investigation.

(3) After holding an inquiry under sub-section (2), the Government may, if it thinks fit, take action against the responsible person or officer or employee or the Municipality, subject to the provisions of this Act.

**Directing the municipality to take action on any matter**

88. If the Government, on the basis of a report made under section 83 or section 84 or on the basis of any information obtained from any other source, considers that any action taken by the municipality is illegal or irregular or that any action under this Act has been unreasonably taken or not taken at all, or , the necessary funds are not provided for the performance of the responsibilities provided in this Act, the Government or the authority designated by the Government may direct the municipality to refrain from illegal or irregular measures and to adopt lawful measures or financial resources within a specified period, the Government may direct the municipality to Can give:

Provided, however, that if there is no justification for stopping the aforesaid activities on an urgent basis, the Government shall provide the Municipality

with an opportunity to defend itself.

## **CHAPTER II**

### **Financial management, budgeting and accounting**

#### **Source of funds**

89. (1) Every municipality shall have a fund called the Municipal Fund
- (2) The following amounts shall be deposited in the municipal fund constituted under sub-section (1):
- (a) the surplus funds in the full jurisdiction of the municipality at the time this Act comes into force;
  - (b) sums received in respect of all taxes, cesses, rates, tolls, fees and other claims levied by the Municipality under this Act;
  - (c) all rents and income from property vested in or disposed of by the Municipality, which are payable or accruable to the Municipality;
  - (d) all moneys received by a municipality for the performance of municipal functions under this Act or under any other law for the time being in force;
  - (e) the total amount of donations made by any person or institution or any local authority;
  - (f) the accumulated income (if any) from the trust administered under the municipality;
  - (g) all grants made by Government and other authorities;
  - (h) gross dividends received from investments; And
  - (j) All money received from other sources of income vested in the full right of the municipality under the direction of the Government.

#### **Charged expenses**

90. (1) The expenditure imposed on the Municipal Fund shall be as follows, namely:-
- (a) all sums payable to any Government servant or member of the local council service engaged in municipal work or in connection with his appointment;
  - (b) contributions to the conduct of elections, maintenance of municipal services, audit of accounts and such other matters as may be necessary from time to time as may be directed by the Government to be payable by the municipality;
  - (c) any money necessary to enforce any judgment, decree or order passed against the Municipality by any court or tribunal and any expenses so imposed as may be declared by the Government.
- (2) If any expenditure imposed on the municipality has not been paid, the prescribed authority may, by order from time to time, direct the person or

persons custodian of the funds of the municipality to pay the said amount out of the funds quoted by the municipality.

**Conservation,  
investment  
and  
formation of  
special  
funds**

91. (1) The money deposited in the Municipal Fund shall be deposited in any bank conducting the functions of the Government Treasury or in any other manner as may be directed by the Government from time to time.

(2) The Municipality may invest any part of its funds in such manner as may be prescribed by rule

(3) The Municipality may constitute and maintain a separate fund for any special purpose, which shall be administered and controlled in such manner as may be prescribed by the Government.

(4) Money deposited in the Municipal Fund from time to time shall be applied on priority basis as follows:-

(a) payment of salaries and allowances of municipal officers and employees;

(b) defray expenses imposed on municipal funds under this Act;

(c) meet, with prior approval, appropriate expenditure imposed on the Municipal Fund declared by the Municipality; And

(d) meeting the expenditure imposed on the Municipal Fund as declared by the Government

**Budget**

92. (1) Before the commencement of every financial year, the municipality shall prepare and approve a statement containing the probable income and expenditure for that year, hereinafter referred to as the estimated budget, in the manner prescribed by the rules and one copy thereof shall be submitted to the Divisional Commissioner or any other authority prescribed by the Government. Will send

(2) Taking into consideration the comments and suggestions of the public about the estimated budget under sub-section (1), the municipality shall approve the budget thirty days before the commencement of the relevant financial year and send a copy thereof to the Divisional Commissioner or any other authority prescribed by the Government.

(3) Before the commencement of any financial year, if, under special circumstances, the municipality is unable to approve its budget, the Government shall prepare and certify an income-expenditure statement for that year and such certified statement shall be deemed to be the approved budget of the municipality.

(4) Within thirty days of the receipt of a copy of the budget under sub-section (1), the Government may, by order, revise the budget and such revised budget shall be deemed to be the approved budget of the municipality;

(5) Before the close of any financial year, the Municipality may, at any time during that financial year, prepare and approve a revised budget and the

provisions of this section shall, so far as may be, apply to such revised budget.

**account**

93. (1) The income and expenditure accounts of the municipality shall be maintained in the prescribed form and manner

(2) Annual accounts shall be prepared at the end of every fiscal year

(3) A copy of the annual accounts shall be exhibited in a public place in its office for public inspection and all objections or suggestions from the public regarding the accounts shall be considered by the Municipality.

**audit**

94. (1) The accounts of the municipality shall be audited by any other authority appointed from a panel approved by the competent auditing authority.

(2) The accounts of every municipality shall be audited at intervals fixed by the Government.

(3) The Auditing Authority may inspect all external and other documents relating to the accounts of the municipality concerned and may question the mayor or any councilor or any officer or employee of the municipality.

(4) The Auditing Authority shall submit a report at the conclusion of the audit, which shall, inter alia, state-

(a) cases of misappropriation of funds;

(b) loss, waste, or misappropriation of municipal funds;

(c) other irregularities in the maintenance of accounts;

(d) The names of all persons who, in the opinion of the Auditing Authority, are directly or indirectly responsible for the irregularities mentioned in sub-clauses (a), (b) and (c) shall be mentioned in the report.

(5) The Auditing Authority shall, after providing a copy of the audit report to the Municipality, send a copy thereof to the Government and the Commission.

(6) In all matters relating to irregularities identified by the Auditing Authority, the Municipality shall promptly take appropriate action and inform the Auditing Authority and the Government of the action taken.

(7) The Income and Expenditure Accounts of the Municipality shall be audited by its Standing Committee on Audit and Accounts once every year and shall submit a report thereon to its General Meeting.

### **CHAPTER III**

#### **Infrastructure services**

**Infrastructural service**

95 (1) Notwithstanding anything contained in this Act, subject to the provisions of other Acts relating to environment, development planning,

**projects** project implementation, operation, maintenance and management, and generally for the performance of the duties assigned by this Act, the Municipality shall, by way of partnership agreement with any public or private institution, any May perform service functions related to project financing, implementation, maintenance and management

**Type or types of private sector participation agreements**

96. (1) Municipalities may enter into contracts with the private sector in the prescribed manner for the purpose of ensuring municipal infrastructural services.

(2) The Municipality may, subject to the purposes of the foregoing clauses, enter into agreements of the following types, namely-

- (a) construction, ownership and transfer;
- (b) construct, own, operate and maintain;
- (c) construction and transfer;
- (d) construction, lease and transfer;
- (e) construction, transfer and operation;
- (f) leasing and management;
- (g) management;
- (h) rehabilitation, management and transfer;
- (j) rehabilitation, ownership and management;
- (j) Service Agreements;
- (k) Supply, Handling and Transfer

**Functions of municipalities or other institutions**

97. Municipalities concerned with municipal environmental infrastructure related to water supply, water drainage and sewerage, waste management, roads and commercial infrastructure may adopt the following two methods to implement those projects for the benefit of municipal citizens.

- (a) at the municipality's own expense, or
- (b) through public or private partnership agreements

## **CHAPTER IV**

### **Imposition of Municipal Tax**

**Municipal tax**

98. A municipality may, with the prior approval of the Government, impose all or any of the taxes, sub-taxes, rates, tolls and fees, etc., specified in the Third Schedule:

Provided, however, that in case of any new levy, the Municipality shall take the permission of the Government.

<b>Notification and introduction of tax</b>	99. Unless otherwise directed by the Government, all taxes, cesses, rates, tolls and fees etc. imposed by the Municipality shall, subject to prior publication, be published in the Government Gazette and the date from which the same shall come into force shall be specified by the Municipality.
<b>Standard Tax Schedule</b>	100 The Government may formulate a standard tax schedule and the amount of tax mentioned in this standard tax schedule shall be considered as a model for all municipalities.
<b>Guidelines on taxation</b>	101. Any municipality where the Government - (a) may direct the imposition of taxes, sub-taxes, rates, tolls or fees etc. under section 98; or (b) may direct the imposition of any such tax, sub-tax, rate, toll or fee, etc.; or (c) to exempt any person or class of persons or any property or class of property from the imposition of any such tax, sub-tax, rate, toll or fee, etc., or suspend or abolish the imposition of any such tax, sub-tax, rate, toll or fee, etc. Can give instructions.
<b>Tax liability</b>	102. (1) To furnish information, records or accounts to any person required by the Municipality for the purpose of determining the liability of taxes, sub-taxes, rates, tolls or fees, etc., on persons, goods or animals, or any tax, sub-tax, rates, tolls, etc. or may issue a notice to produce goods or animals chargeable with fees, etc (2) Any officer or employee of the municipality empowered for this purpose may, after giving due notice, enter any such building or house or inspect any goods or animals liable to be located there, for the purpose of assessing the tax liability of the building or house. (3) Any officer or employee of the municipality empowered for this purpose may, in the prescribed manner, seize and hand over any city-duty, limit-tax or toll due on any goods.
<b>Tax collection and collection</b>	103. (1) All taxes, rates, tolls and fees etc. imposed under this Act shall be collected in the prescribed manner. (2) All taxes, sub-taxes, rates, tolls and fees and other sums receivable by the Municipality under this Act shall be recoverable as Government claims. (3) Notwithstanding the provisions of sub-section (2), any tax, sub-tax, rate, toll, fee and other arrears payable by the Government under this Act to the person concerned shall be recovered by attachment and sale of the immovable property owned by the person concerned or his immovable property. May empower municipalities to recover by garnishment and sale.

**Petition against assessment, assessment, etc** 104. (1) Any objection to tax, sub-tax, rate, toll or fee or any assessment relating thereto or liability to tax similarly imposed on any person shall be made to the Mayor within the prescribed period.

(2) After receiving the objection under sub-section (1), the Mayor shall forward it to the Standing Committee concerned and the Standing Committee shall take the necessary hearings and promptly take the necessary decision and the decision of the Committee shall be deemed to be final.

**Deduction of tax from salaries** 105. If the municipality intends to impose a tax on any profession, trade or profession, the municipality may demand from the employer of the person liable to pay such tax a deduction of the tax from the salary or wages payable to such person and in the case of such demand the amount of tax due from the salary or wages of the person concerned. Deductions shall be made and deposited in the Municipal Fund:

Provided that the amount of such deduction shall in no case exceed ten percent of the salary or wages

## **CHAPTER FIVE**

### **Other Local Authorities, Offenses and Punishments**

**Joint Committee** 106. A municipality may form a joint committee with any other municipality or municipalities with any local council or councils or with any local authority or authorities on matters of common interest for any common purpose.

**Disputes between municipalities and local councils** 107. If a dispute arises between two or more municipalities or between a municipality and any local authority, for settlement of the matter—

(a) if the parties concerned belong to the same division, shall be sent to the Divisional Commissioner; And

(b) if the parties concerned are from different departments or one of the parties is a Cantonment Board, it shall be referred to the Government and, as the case may be, the decision of the Divisional Commissioner or the Government shall be final.

**crime** 108. Every act specified in the Fourth Schedule shall be deemed to be an offense under this Act

**punishment** 109. Any offense under this Act shall be punishable with a fine not exceeding two thousand rupees and in case of repetition of the offense shall be punishable with a fine not exceeding two hundred rupees for every day during the period of re-engagement in that offense after the first commission of the offence.

<b>Compromise of crime Rafa</b>	110 The Mayor or any person empowered generally or specially by the prescribed authority may settle any offense under this Act.
<b>Acceptance for criminal prosecution</b>	111. No court shall take cognizance of any offense under this Act except on a complaint in writing from the municipality or any person.

## CHAPTER SIX

### Right to information

<b>Right to information</b>	<p>112. (1) Subject to the provisions of existing law, any citizen of Bangladesh shall have the right to receive any information relating to the municipality, in the prescribed manner.</p> <p>(2) Notwithstanding anything contained in sub-section (1), the Government may, by notification in the Gazette, in the interest of public interest and local administrative security, classify any record or document as a notified record.</p> <p>(3) Requests to know the information of such special category records and documents shall be ignored.</p> <p>(4) The Government may, by general or special order, order the municipality to publish a list of information deliverable to the public in the area.</p>
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<b>Police assistance to municipalities</b>	<p>113. (1) The officer-in-charge of the municipal police station and other subordinate officers and employees-</p> <p>(a) assist the Municipality in accordance with the provisions set out in the Fifth Schedule to maintain law and order in the Municipal area and to enforce the provisions of this Act;</p> <p>(b) assist the municipality in carrying out the orders of any magistrate appointed under the provisions of this Act;</p> <p>(2) It shall be the duty of every police officer—</p> <p>(a) to notify the Mayor and <sup>৩৫</sup> [সঁহরপরচুধষ বীবপঁঃরাব ডভভরপবৎ] ডৎ, ধং যব পধৎব সধু নব, যব পযরবভ বীবপঁঃরাব ডভভরপবৎ, ডভ যব ধঃঃবসচঃবফ পড়সসরৎংরডহ ডভ ধহু ডভভবহৎব ফবৎপৎরনবফ রহ যরং অপঃ;</p> <p>(b) assist the Mayor, Chief Executive Officer or <sup>৩৬</sup> [সঁহরপরচুধষ বীবপঁঃরাব ডভভরপবৎ] ডৎ ধহু ডঃযবৎ ডভভরপবৎ রহ যব ঢবৎভডৎসধহপব ডভ যঃধঃঃডু ফঁঃরবং টুডহ তিরঃঃবহ বয়ঃবং.</p>
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(3) Negligence or failure to comply with the duties under sub-sections (1) and (2) shall be considered as an offense punishable under existing laws and regulations.

**Municipal  
Police  
Recruitment**

114. (1) The Government may, by notification in the Official Gazette, constitute municipal police in any municipal area and their recruitment, training, discipline and other conditions of service shall be regulated by rules and the Government shall appoint an officer of appropriate rank to manage the municipal police.

(2) The Municipal Police shall perform the duties and responsibilities set out in the Fifth Schedule to this Act and shall further supervise law and order in the locality in close liaison with the local police force.

(3) For the purpose of suppressing offenses against the provisions of this Act including other laws, the Government may, as the case may be, <sup>७९</sup> [Municipal Executive Officer] or, as the case may be, the Chief Executive Officer confer magisterial powers or appoint an Executive Magistrate.

(4) The Mayor may issue written instructions to any able-bodied, adult and healthy male to patrol that area for a specified period of time if it is urgently necessary to ensure the public safety of any ward or part of the ward in the municipal area.

## **5TH DIVISION**

### **CHAPTER II**

#### **Misc**

**Exchange of  
views with  
the people  
of the  
municipal  
area**

115. (1) In each municipality, the elected municipality shall constitute a committee for the purpose of receiving public opinion on service and other functions, the number of members of which may be fifty (50) maximum.

(2) In the meeting of the committee formed under sub-section (1), there will be an opportunity to express the opinion of the members about various services and developmental activities including tax collection and collection.

**training  
institute**

116. (1) The Government may establish or establish institutions for the training of mayors or councilors and officers and employees of municipalities with a view to excellence in research on local government and related matters in municipal areas.

(2) For the purposes of sub-section (1) of the municipality, by-laws for the purpose of providing for the management of such institution, the training of

mayors, councillors, officers and employees, the conduct of permanent training courses of such institutions, the conduct of examinations and the awarding of diplomas and certificates to successful candidates. Can formulate.

(3) The expenses of training institutions established under sub-section (1) shall be met out of the municipal fund in the manner prescribed by rules.

**boundary  
violation**

117. (1) No person shall encroach permanently or temporarily on or in any municipal land, road line, building line or drain.

(2) The Municipality may, by giving notice, direct the said trespasser to remove his property or property from the said places within a specified time and if the same is not removed within the specified time, the Municipality shall, through its own agency, cause the same to be removed and this The costs shall be levied by the municipality on the person responsible for the trespass under this Act.

(3) Notwithstanding anything contained in any other law, no compensation shall be awarded for the suppression of any wrong removed or removable under this section.

**Appellate  
order**

118. (1) Any person aggrieved by any order of a municipality or its mayor made under this Act, rules, regulations or bye-laws may appeal to the prescribed authority in the prescribed manner.

(2) The order on appeal shall be final and no question shall lie against the order in any Court.

**standing  
order**

119 The Government may, from time to time, by standing order—

(a) determine and regulate relations between municipalities and between local councils and local authorities;

(b) coordinate the functions of municipalities and government departments;

(c) may, under special conditions, in special cases, pay wages, including financial assistance to the municipality;

(d) may arrange for the payment of contributions by one municipality to another municipality or to any other local authority; And

(e) may issue general directions to the Municipality for carrying out the purposes of this Act.

**Power to  
make rules**

120 (1) In order to carry out the objectives of this Act-

(a) the Government may, subject to the provisions of clause (b), by notification in the Official Gazette, make rules;

(b) The Election Commission may, by notification in the Government Gazette, make rules relating to the election of Mayors and Municipal

Councillors, conduct of contesting candidates, election disputes, election-related offences, punishment of such offences, enforcement and other related matters.

(2) Without prejudice to the totality of the powers under sub-section (1), the Government may make necessary rules in respect of any or all of the matters set out in the Sixth Schedule and in respect of such matters as are relevant and supplementary.

**Power to  
make  
regulations**

121. (1) For carrying out the purposes of this Act, the Municipality may, with the prior approval of the Government and by notification in the Official Gazette, make such regulations as may not be inconsistent with this Act or the rules.

(2) In particular and without prejudice to the totality of the foregoing powers, such regulations shall contain all or any of the matters mentioned in the Seventh Schedule.

**Power to  
make bye-  
laws**

122 (1) A municipality may, for carrying out the purposes of this Act, make bye-laws in respect of the matters set out in the Eighth Schedule.

(2) In particular and without prejudice to the totality of the foregoing powers, such bye-laws may make provision for any or all of the matters set out in the Eighth Schedule and for all matters incidental and supplementary.

**delegation  
of power**

123. (1) The Government may, by notification in the Official Gazette, delegate any duties and powers specified in this Act or the rules to the Divisional Commissioner or any officer subordinate to him.

(2) The Divisional Commissioner may, if necessary, re-delegate the delegated powers to any officer subordinate to him.

**Licenses  
and  
Approvals**

124. (1) Notwithstanding anything contained in this Act, rules, regulations or bye-laws, any permit or approval required by a municipality shall be given in writing.

(2) All licenses granted by or under the authority of the Municipality shall be signed by any officer of the Municipality authorized by the Mayor.

**public  
record**

125. All records prepared or registers kept under this Act shall be deemed to be public records within the meaning of the Evidence Act, 1872 (Act No. 1 of 1872) and unless the contrary is proved, they shall be deemed to be pure.

**public  
servant**

126. The mayor, councillors, officers and employees of the municipality, and the person duly authorized or responsible to act on behalf of the municipality shall be considered public servants in the sense in which the word "public servant" is used in section 21 of the Penal Code.

**Effective  
defense in  
good faith**

127. If any person is injured or is likely to be injured as a result of any act done in good faith in the performance of duties under this Act or the rules or regulations or by-laws or orders made thereunder, no suit, complaint or other legal action shall be taken against the person concerned. .

### **CHAPTER III**

#### **Transitional and temporary provisions**

**Municipalities  
and Wards  
for First  
Election**

128. Unless the Government directs otherwise, the municipalities existing immediately before the commencement of this Act shall, subject to section 4, be deemed to be municipalities.

**Certain  
matters are  
prescribed**

129. If there is no specific provision for any matter under this Act, if there is no provision by which authority or in what manner it is to be done, or if there is no sufficient provision, it shall be carried out in the manner prescribed by the authority.

**Troubleshooting**

130 In carrying out the provisions of this Act, if any difficulty arises, such measures as may be necessary by order to remove the difficulty shall be taken:

Provided that no such order shall be passed after the expiry of two years from the commencement of this Act.

**Revocation  
and  
Custody**

131 (1) With the commencement of this Act, the Paurashava Ordinance, 1977 (Ord. No XXVI of 1977) hereinafter referred to as the said Act, shall be repealed.

(2) After the repeal of the said Act-

(a) Notwithstanding anything contained in this Act, unless municipalities are constituted under this Act—

(b) the municipalities shall continue to perform all functions which were performed immediately before such repeal and shall be deemed to have been constituted under this Act;

(a) the person holding the office of administrator of any municipality before such repeal shall continue in his office;

(b) before such repeal, all rules, regulations, bye-laws or orders made under the said Act, notifications or notices issued or licenses or permits granted, unless inconsistent with the provisions of this Act, be repealed or amended under the provisions of this Act; shall remain in force until and shall be deemed to have been made, issued or approved under this Act;

(c) immediately before such dissolution, all assets, rights, powers, authorities and all immovable and immovable property, cash and bank deposits, funds, investments and all rights and interests in or arising out of such property shall be transferred to the successor municipality; And shall be vested;

(d) all debts, liabilities and obligations of the municipality prior to such dissolution and all contracts entered into by or with or on behalf of the successor municipality shall devolve upon and be deemed to have been entered into by or with or on behalf of the successor municipality;

(e) All proposed budgets, assessments, assessments, schemes or plans made by a municipality prior to such repeal shall, unless inconsistent with this Act, remain in force until amended or repealed under the provisions hereof and made by a successor municipality under the provisions of this Act. shall be considered;

(f) all taxes, cesses, rates, tolls, fees and other sums due to the municipality prior to such repeal shall be deemed to belong to the successor municipality under this Act;

(g) all taxes, cesses, rates, tolls, fees and other demands levied by the predecessor municipality immediately after such repeal shall continue to be levied at the same rate as previously levied until altered by the successor municipality under this Act;

(h) all the officers and employees of the municipality shall be transferred as officers and employees of the successor municipality and shall continue to hold the same positions or functions as those employed in the municipality immediately before the abolition until such conditions are suitably changed by the municipality;

(j) Before such repeal, all suits, complaints and other legal proceedings filed by or against the Municipality shall be deemed to be suits, complaints and proceedings filed by or against the Municipality and shall continue or be otherwise disposed of accordingly.

(3) For the purposes of sub-section (2), a municipality shall be deemed to be a successor municipality for which the municipality is constituted or deemed to have been constituted.

(4) The Local Government (Municipalities) Ordinance, 2008 (Ordinance No. 17 of 2008), hereinafter referred to as the repealed Ordinance, is hereby repealed.

(5) Orders given, actions taken, measures taken and elections held under the repealed Ordinance shall be deemed to be orders given, actions taken, measures taken and elections held under this Act.

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- ᵝ Clause (44A) inserted by clause 2 (a) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᶇ Clause (55A) inserted by clause 2 (a) of the Local Government (Municipalities) (Amendment) Act, 2015 (Act No. 24 of 2015).
- ᵛ Clause (58) omitted by clause 2 (b) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ⁸ Clause (61A) inserted by clause 2 (b) of the Local Government (Municipalities) (Amendment) Act, 2015 (Act No. 24 of 2015).
- ᶘ For the words "two thousand" the words "one thousand five hundred" are substituted by clause 3 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᵘ " " beard symbol ":" substituted for colon symbol by clause 4 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ⁹ Conditions repealed by section 4 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᵇ Sub-section (1) substituted by section 5 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᵝ Repealed by s 2 of the Local Government (Municipalities) (Amendment) Act, 2010 (Act No. 52 of 2010).
- ᶆ The words "and" are omitted by section 3(a) of the Local Government (Municipalities) (Amendment) Act, 2010 (Act No. 52 of 2009).
- ᶇ For `", a semicolon was substituted for `";" and then clause (n) was inserted under clause 3(b) of the Local Government (Municipal Government) (Amendment) Act, 2010 (Act No. 52 of 2010).
- ᶇ Section 20A was inserted by section 3 of the Local Government (Municipalities) (Amendment) Act, 2015 (Act No. 24 of 2015).
- ᶆ Clause (b) was inserted by clause 4 of the Local Government (Municipalities) (Amendment) Act, 2015 (Act No. 24 of 2015).
- ᶇ For the words "twenty days" the words "thirty days" are substituted by clause 4 of the Local Government (Municipalities) (Amendment) Act, 2010 (Act No. 52 of 2010).
- ᶘ The words "Municipal Executive Officer" are substituted for the words "Secretary" by section 6(a) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᶘ The words "Municipal Executive Officer" are substituted for the words "Secretary" by section 6(b) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᶇ For `", the semicolon `";" was substituted and thereafter clause (h) was inserted in clause 5 of the Local Government (Municipal Government) (Amendment) Act, 2010 (Act No. 52 of 2010).
- ᵇ " ;" The semicolon symbol "." Substituted for beard symbol by section 7 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ᶇ Clause (j) inserted by section 7 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).

- ၃၀ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 8 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၁ Sub-section (1) substituted by section 9 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၂ The words “including the Municipal Executive Officer” are substituted for the words “including the Secretary” by section 10 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၅ For the word “or” the word “and” is substituted by section 11(a) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၈ “; or” the semicolon mark and the word “.” substituted by section 11(b ) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022) for the mark “.
- ၃၉ Clause (e) inserted by section 11(b ) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၆ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 12(a ) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၇ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 12(b ) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၈ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 13 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၃၉ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 13 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၀ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 14(a ) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၁ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 14(b) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၂ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 15 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၃ Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022) for the words and numbers “a municipal executive officer and the requisite number of officers of grades 9 to 12” substitute the words and letters “a secretary and the requisite number of first and second grade officers” ) substituted by clause 16(a).
- ၄၄ Sub-section (6) inserted by section 16(b) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၅ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 17(a) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၆ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 17(b) of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).
- ၄၇ The words “Municipal Executive Officer” are substituted for the words “Secretary” by section 18 of the Local Government (Municipalities) (Amendment) Act, 2022 (Act No. 04 of 2022).

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