

46. धारा 240 का संशोधन.—मूल अधिनियम की धारा 240 में, “पच्चीस रुपये तथा अधिक से अधिक दो सौ रुपये” शब्दों के स्थान पर “पाँच सौ रुपये और अधिक से अधिक दो हजार रुपये” शब्द रखे जाएंगे।

47. धारा 248 का संशोधन.—मूल अधिनियम की धारा 248 की उपधारा (1) में, “पाँच रुपये” शब्दों के स्थान पर “पचास रुपये” शब्द रखे जाएंगे।

48. धारा 279 का संशोधन.—मूल अधिनियम की धारा 279 की उपधारा (4) में, “पचास रुपये से कम और पाँच सौ रुपये से अधिक” शब्दों के स्थान पर “एक हजार रुपये से कम और पाँच हजार रुपये से अधिक” शब्द रखे जाएंगे।

49. धारा 292 का संशोधन.—मूल अधिनियम की धारा 292 की उपधारा (3) में, “तीन मास तक की हो सकेगी, या” शब्दों और चिन्ह के पश्चात् “पाँच सौ रुपये के” शब्द अन्तःस्थापित किए जाएंगे।

### AUTHORITATIVE ENGLISH TEXT

Act No. 12 of 2016

### THE HIMACHAL PRADESH MUNICIPAL (AMENDMENT) ACT, 2016

(AS ASSENTED TO BY THE GOVERNOR ON 19<sup>TH</sup> SEPTEMBER, 2016)

AN

ACT

*further to amend the Himachal Pradesh Municipal Act, 1994 (Act No.13 of 1994).*

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-seventh Year of the Republic of India as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Himachal Pradesh Municipal (Amendment) Act, 2016.

(2) It shall come into force on such date as the State Government may, by notification published in the Official Gazette, appoint.

2. **Amendment of section 10.**—In section 10 of the Himachal Pradesh Municipal Corporation Act, 1994 (hereinafter referred to as ‘the principal Act’), in sub-section (4), after the words “three persons”, the words and signs “ in Nagar Panchayat and not more than four persons in Municipal Council, as the case may be,” shall be inserted.

3. **Amendment of section 82.**—In section 82 of the principal Act, in sub-section (2), for the words “twenty five rupees and more than five hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

4. **Amendment of section 83.**—In section 83 of the principal Act, in sub-section (5), for the words and signs “twenty five rupees and more than two hundred rupees and in case of a continuing breach with a further fine of ten rupees”, the words and signs “five hundred rupees and



more than two thousand rupees and in the case of a continuing breach with a further fine of fifty rupees" shall be substituted.

**5. Amendment of section 111.**—In section 111 of the principal Act, in sub-section (4), for the words "twenty five rupees and more than five hundred rupees", the words "five hundred rupees and more than two thousand rupees" shall be substituted.

**6. Amendment of section 113.**—In section 113 of the principal Act, for the words "twenty five rupees and more than two hundred rupees", the words "five hundred rupees and more than two thousand rupees" shall be substituted, and after section 113 as so amended, the following proviso shall be inserted, namely :—

"Provided that to keep control on the growing number/population of dogs, Municipality concerned may initiate steps to sterilize/vaccinate the pet/stray dog(s) with the help of Animal Husbandry Department situated in Urban or adjoining area of the Municipality on the expenses of owner, at the rate as may be notified by the Municipality from time to time and in case of stray or un-identified dogs, same shall be born out of the Municipal Fund."

**7. Amendment of section 114.**—In section 114 of the principal Act, for the word "twenty", the words "two hundred" shall be substituted.

**8. Amendment of section 115.**—In section 115 of the principal Act, for the words "twenty", the words "two hundred" shall be substituted.

**9. Amendment of section 124.**—In section 124 of the principal Act, in sub-section (2), for the words and signs "twenty five rupees and more than two hundred rupees and with a further fine of ten rupees", the words "five hundred rupees and more than two thousand rupees and with a further fine of fifty rupees" shall be substituted.

**10. Amendment of section 125.**—In section 125 of the principal Act, in sub-section (4), for the words and signs "twenty five rupees and more than two hundred rupees and with a further fine of ten rupees", the words "one thousand rupees and more than four thousand rupees and with a further fine of one hundred rupees" shall be substituted.

**11. Amendment of section 126.**—In section 126 of the principal Act, in sub-section (3), for the words and sign "one hundred rupees and more than one thousand rupees and when the breach is a continuing one, with a further fine of one hundred rupees", the words and sign "two thousand five hundred rupees and more than ten thousand rupees and when the breach is a continuing one, with a further fine of two hundred rupees" shall be substituted.

**12. Amendment of section 127.**—In section 127 of the principal Act, in sub-section (2), for the words "twenty five rupees and more than two hundred rupees and in case of a continuing offence to a further penalty of fifty rupees", the words "five hundred rupees and more than two thousand rupees and in case of a continuing offence to a further penalty of one hundred rupees" shall be substituted.

**13. Amendment of section 128.**—In section 128 of the principal Act, in sub-section (2), for the words "fifty rupees and more than five hundred rupees and with a further fine of fifty rupees", the words "one thousand rupees and more than five thousand rupees and with a further fine of two hundred rupees" shall be substituted.



**14. Amendment of section 129.**—In section 129 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely :—

“(3) Whoever, in contravention of the provisions of this section, uses or employ any whistle, trumpet or other contrivance, shall be punishable with a fine which may not be less than five hundred rupees, and more than two thousand rupees and with a further fine of fifty rupees for every day during which the offence is continued.”.

**15. Amendment of section 133.**—In section 133 of the principal Act, in sub-section (2), for the words and signs “twenty five rupees and more than two hundred rupees and, when a notice has been issued, with a further fine of ten rupees”, the words and signs “five hundred rupees and more than two thousand rupees and, when a notice has been issued, with a further fine of fifty rupees” shall be substituted.

**16. Amendment of section 135.**—In section 135 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**17. Amendment of section 140.**—In section 140 of the principal Act, in sub-section (2), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**18. Amendment of section 143.**—In section 143 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**19. Amendment of section 146.**—In section 146 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**20. Amendment of section 148.**—In section 148 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**21. Amendment of section 149.**—In section 149 of the principal Act,—

- (a) in sub-section (1), for the words “fifty and of one hundred rupees”, the words “five hundred and of one thousand rupees” shall be substituted; and
- (b) in sub-section (3), for the words “five hundred rupees”, the words “one thousand rupees” shall be substituted.

**22. Amendment of section 150.**—In section 150 of the principal Act, for the words “fifty rupees”, the words “one thousand rupees” shall be substituted.

**23. Amendment of section 152.**—In section 152 of the principal Act, in sub-section (1), for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.

**24. Amendment of section 159.**—In section 159 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.



**25. Amendment of section 162.**—In section 162 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**26. Amendment of section 166.**—In section 166 of the principal Act, in sub-section (3), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**27. Amendment of section 172.**—In section 172 of the principal Act, in sub-section (4), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**28. Amendment of section 173.**—In section 173 of the principal Act, in sub-section (4), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**29. Amendment of section 175.**—In section 175 of the principal Act, in sub-section (3), for the words and signs “twenty five rupees and more than two hundred rupees and when the contravention of non-compliance is a continuing one, with a further fine of ten rupees”, the words and signs “five hundred rupees and more than two thousand rupees and when the contravention of non-compliance is a continuing one, with a further fine of fifty rupees” shall be substituted.

**30. Amendment of section 180.**—In section 180 of the principal Act, for the words “fifty rupees and more than five hundred rupees”, the words “one hundred rupees and more than four thousand rupees” shall be substituted.

**31. Amendment of section 183.**—In section 183 of the principal Act, in sub-section (1), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**32. Amendment of section 184.**—In section 184 of the principal Act, in sub-section (2), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**33. Amendment of section 191.**—In section 191 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**34. Amendment of section 192.**—In section 192 of the principal Act, in sub-section (1), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**35. Amendment of section 193.**—In section 193 of the principal Act, in sub-section (2), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**36. Amendment of section 196.**—In section 196 of the principal Act, in sub-section (1), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.



**37. Amendment of section 197.**—In section 197 of the principal Act,—

- (a) in sub-section (1), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted; and
- (b) in sub-section (2), for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**38. Amendment of section 198.**—In section 198 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**39. Amendment of section 199.**—In section 199 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**40. Amendment of section 200.**—In section 200 of the principal Act, for the words “twenty five rupees and more than two hundred rupees”, the words “five hundred rupees and more than two thousand rupees” shall be substituted.

**41. Amendment of section 207.**—In section 207 of the principal Act, for the words and sign “one hundred rupees and more than five hundred rupees and if after such conviction, he continues to use such building for such purpose shall be liable to a further fine of fifty rupees”, the words and sign “one thousand rupees and more than five thousand rupees and if after such conviction, he continues to use such building for such purpose shall be liable to a further fine of five hundred rupees” shall be substituted.

**42. Amendment of section 211.**—In section 211 of the principal Act,—

- (a) in sub-section (1), for third proviso, the following provisos shall be inserted, namely :—

“Provided further that person to whom notice to stop work or remove the construction stands delivered, the concerned officer/official shall be bound to take necessary steps to stop ongoing work or remove construction raised in contravention of the provisions of the Act forthwith. In case, the officer/official fails to do so, he shall be held personally responsible and shall be liable for disciplinary action under the relevant service rules:

Provided further that if any notice issued by the Executive Officer or Secretary, as the case may be, under this section on the ground that a building has been begun or has been erected in contravention of the terms of any sanction granted or in contravention of any bye-laws made under section 204, the person to whom the notice issued may, within fifteen days from the date of service of such notice, appeal to the municipality which shall be decided within three months from the date of filing of such appeal and subject to the provisions of section 212, 263 and 269, the decision of the municipality shall be final :”; and

- (b) in sub-section (5), for the words and signs “one thousand rupees and when the non-compliance is a continuing one, with a further fine, which may extend to fifty



rupees", the words and signs "five thousand rupees and when the non-compliance is a continuing one, with a further fine, which may extend to five hundred rupees" shall be substituted.

43. **Amendment of section 221.**—In section 221 of the principal Act, in sub-section (3), in clause (i), for the words "five hundred rupees", the words "five thousand rupees" shall be substituted.

44. **Amendment of section 227.**—In section 227 of the principal Act, for the words "twenty five rupees and more than two hundred rupees", the words "five hundred rupees and more than two thousand rupees" shall be substituted.

45. **Amendment of section 237.**—In section 237 of the principal Act, for the words and sign "twenty five rupees and more than two hundred rupees and in case of a continuing breach, with a further fine of ten rupees", the words and sign "five hundred rupees and more than two thousand rupees and in case of a continuing breach, with a further fine of fifty rupees" shall be substituted.

46. **Amendment of section 240.**—In section 240 of the principal Act, for the words "twenty five rupees and more than two hundred rupees", the words "five hundred rupees and more than two thousand rupees" shall be substituted.

47. **Amendment of section 248.**—In section 248 of the principal Act, in sub-section (1), for the words "five rupees", the words "fifty rupees" shall be substituted.

48. **Amendment of section 279.**—In section 279 of the principal Act, in sub-section (4), for the words "fifty rupees and more than five hundred rupees", the words "one thousand rupees and more than five thousand rupees" shall be substituted.

49. **Amendment of section 292.**—In section 292 of the principal Act, in sub-section (3), after the words "or with fine", the words "of five hundred rupees" shall be inserted.

विधि विभाग

अधिसूचना

शिमला-2, 26 सितम्बर, 2016

संख्या: एल०एल०आर०-डी(६)-18/2016-लेज.-हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 19-09-2016 को अनुमोदित हिमाचल प्रदेश नगर निगम (संशोधन) विधेयक, 2016 (2016 का विधेयक संख्यांक 17) को वर्ष 2016 के अधिनियम संख्यांक 13 के रूप में संविधान के अनुच्छेद 348 (3) के अधीन उसके अंग्रेजी प्राधिकृत पाठ सहित हिमाचल प्रदेश ई-राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,  
(डा० बलदेव सिंह),  
प्रधान सचिव (विधि)।