

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

Subject: Extension of timelines prescribed by Section 36 of the J&K Municipal Corporation Act, 2000, for conduct of election to the post of Mayor, Srinagar Municipal Corporation.

Reference: i) Communication No. SMC/PS/Com/3757 Dated 03.09-2020 from Commissioner, Srinagar Municipal Corporation.

ii) Notification No. 88 dated 1.9.2020 issued by the District Magistrate, Srinagar (Chairman, District Disaster Management Authority, Srinagar), prohibiting any inward/outward movement in red zones of Srinagar District.

Government Order No.: 163 -JK (HUD) of 2020
Dated : 07 -09-2020

Whereas, the post of Mayor, Srinagar Municipal Corporation has fallen vacant on 16th of June, 2020 and is to be filled up within a period of one month, in terms of Section 36 of the Jammu & Kashmir Municipal Corporation Act, 2000;

Whereas, in view of the health pandemic-COVID-19, the District Magistrate, Srinagar (Chairman, District Disaster Management Authority, Srinagar) has issued notification as referred to above, prohibiting any inward/outward movement in Micro Containment Zones of Srinagar District;

Whereas, the Commissioner, Srinagar Municipal Corporation, vide his communication referred to above has informed that ninety six zones of the Srinagar District have been designated as micro containment zones for the management of COVID-19, under the said orders of the District Magistrate, Srinagar, and that a large number of Councilors reside/fall in these areas;

Whereas, the Commissioner, Srinagar Municipal Corporation has informed that as a result of the prohibition of inward/outward movement of people in/from these areas, the conduct of election to the post of Mayor within the period prescribed by Section 36 of the J&K Municipal Corporation Act, 2000, read with second proviso of sub-section(2) of Section 36, which expires on 15th September, 2020, is not possible.

Whereas, the third proviso to sub-section (2) of section 36 of J&K Municipal Corporation Act, 2000, notified vide SO 282 Dated 07-09-2020 provides :

"Provided also that the Government may, if the circumstances so warrant, on account of reasons of ~~internal~~ security, public health including health pandemic, natural calamity such as floods, earthquake, snowstorm or an event of a similar nature or any other reason which is a hindrance to the conduct of election of the Mayor or the Deputy Mayor, by reasons to be recorded in writing, extend the time

limit of conducting the elections up to a maximum of six months from the date the office of the Mayor or the Deputy Mayor falls vacant."

Now, therefore, in terms of the above proviso of Section 36 (2) of J&K Municipal Corporation Act, 2000, in supersession of Government Order No. 158-JK(HUD) of 2020 dated 15.7.2010 and in view of the difficulty in the conduct of the election to the post of Mayor, SMC due to health pandemic-COVID-19 and management protocol related to it issued by District Magistrate, Srinagar (Chairman, District Disaster Management Authority, Srinagar), the Government hereby extends the time limit for the conduct of said election to six months from the date the office of the Mayor fell vacant.

By order of Government of Jammu & Kashmir.

Sd/

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

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

Dated:- 07.09.2020

Copy to the:-

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


(Syed Nazir Ahmad)

Under Secretary to the Government,
Housing & Urban Dev. Department