



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

Notification

Jammu, the 30th November, 2023

S.O.- 600 Whereas, section 427 of the Jammu and Kashmir Municipal Corporation Act, 2000, provides as under:-

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

Whereas, section 5 of the Jammu and Kashmir Municipal Corporation Act, 2000 provides for the duration of the Corporation, which provides as under:-

“5. Duration of the Corporation. —(1) The Corporation, unless sooner dissolved under section 404 of this Act, shall continue for five years from the date appointed for its first meeting.

(2) An election to constitute the Corporation shall be completed—

- (a) before the expiry of its duration specified in sub-section (1) ;
- (b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved Corporation would have continued is less than six months, it shall not be necessary to hold any election under this section for constituting the Corporation for such period :

Provided further that the first election to a Corporation constituted after the commencement of the Act shall be held within a period of two years of its constitution.”

Whereas, the respective terms of elected representatives of Municipal Corporations of Srinagar and Jammu have expired;

Whereas, a difficulty has arisen in giving effect to the provisions of the Act for the purpose of smooth administration and providing better services to public at large;

Now therefore, in exercise of the powers conferred under section 427 of the Jammu and Kashmir Municipal Corporation Act, 2000, the Government hereby makes the following order; namely: -

1. Short title and commencement:- (1) This order may be called the Jammu and Kashmir Municipal Corporation (Removal of Difficulties) Order, 2023.

(2) It shall be deemed to have come into force with immediate effect and shall remain in force for a period of two years or till it is revoked by the Government, whichever is earlier.

2. Removal of Difficulties:- The difficulties arisen on account of expiry of the term of elected representatives of Jammu Municipal Corporation and Srinagar Municipal Corporation and in giving effect to section 5 of the Jammu and Kashmir Municipal Corporation Act, 2000 are hereby removed by appointing Commissioner of Jammu Municipal Corporation and Srinagar Municipal Corporation as Administrators of the respective Corporations for a term of two years or until the establishment of the Corporation, whichever is earlier, and they shall exercise the functions and duties of the Corporation(s) as provided under the Act.

By order of the Government of Jammu and Kashmir.

Sd/-
(Prashant Goyal)
Principal Secretary to the Government,
Housing & Urban Development Department

No. HUD-LSGoULBK/84/2023-01(7268319)

Dated: 30 .11.2023

Copy to:

1. All Financial Commissioners (Additional Chief Secretaries).
2. Director General of Police, J&K.
3. All Principal Secretaries to the Government.
4. Director General, J&K Institute of Management, Public Administration and Rural Development.
5. Principal Secretary to the Lieutenant Governor, J&K.
6. Principal Resident Commissioner, J&K Government, New Delhi.
7. All Commissioners/Secretaries to the Government.
8. Chief Electoral Officer, J&K.
9. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
10. Divisional Commissioner, Kashmir/Jammu.
11. Commissioner Municipal Corporation, Jammu/Srinagar.
12. Director, Urban Local Bodies, Kashmir/Jammu.
13. All HoDs of Housing & Urban Development Department.
14. All District Development Commissioners, J&K.

15. Director, Information, J&K.
16. Chairperson, Special Tribunal, J&K.
17. All Heads of Department/Managing Directors.
18. Director, Archives, Archaeology and Museums, J&K.
19. Director, Estates, Kashmir/Jammu.
20. Special Secretary (Legal) Housing & Urban Development Department.
21. General Manager, Government Press, Jammu/Srinagar.
22. Private Secretary to the Chief Secretary, J&K.
23. Private Secretary to Principal Secretary to the Government, Housing & Urban Development Department.
24. In-charge Website, HUDD.
25. Government Order/Stock file.


(Thannaji Bhat)

Under Secretary to the Government
Housing & Urban Development Department