

# THE BIHAR MUNICIPAL (AMENDMENT) ACT, 2020

BIHAR

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## Act 13 of 2020

- Published in Bihar Gazette on 10 August 2020
- Commenced on 10 August 2020
- [This is the version of this document from 10 August 2020.]

AN ACT TO AMEND THE BIHAR MUNICIPAL ACT, 2007 ( ACT 11, 2007) Be it enacted by the legislature of the state of Bihar in the seventy first year of the Republic of India as follows:-

### 1. Short title, extent and commencement.—

(1) This Act may be called the Bihar Municipal (Amendment) Act, 2020. (2) It shall extend to the whole of the State of Bihar. (3) It shall come into force from the date of its publication in the official gazette.

### 2. Amendment of Section-3 of Bihar Act 11, 2007.—

(i) Second proviso of sub section (1) of section 3 of the said Act shall be substituted by following:—"Provided further that the total population of main cultivator workers and marginal cultivator workers shall be below fifty percent of total population of workers in such area in all cases."

### 3. Amendment of Section-50 of Bihar Act 11, 2007.—

(i) In sub-section (1) of section 50 of the said Act the number "2/5" shall be substituted by the number "1/3".

### 4. Amendment of Section-67 of Bihar Act 11, 2007.—

(i) After first proviso of section 67 of the said Act the second proviso shall be inserted by following:—"Provided that it shall be lawful for the State Government in the larger public interest to issue such direction to the Municipal Authorities as may be deemed fit and proper, and the Municipal Authorities will be expected to follow such direction."

## **5. Amendment of Section-145 of Bihar Act 11, 2007.—**

(i) Sub section (1) of Section 145 of the said Act shall be substituted by following:—"(1) No person shall not erect, exhibit, fix or retain upon or over any land, building, wall, hoarding, frame post, kiosk, structure, vehicle, neon-sign of sky-sign, any advertisement or display any advertisement to public view in any manner whatsoever (including any advertisement exhibited by means of cinematograph), visible from a public street or public place, in any place within the Municipal area without permission, in writing, of the Chief Municipal Officer. Provided that during Lok Sabha Elections and Legislative Assembly elections, written permission of the Chief Municipal Officer will not be necessary for the advertisement published for election campaign by political parties and candidates. Provided further that during Lok Sabha Elections and Legislative Assembly elections, advertisement will be displayed by the Political Parties and candidates under the provisions of Representation of the People Act, 1951.

## **6. Repeal and Savings.—**

(1) The Bihar Municipal (Amendment) Ordinance, 2020 (Bihar Ordinance No. 02, 2020) is hereby repealed. (2) Notwithstanding such repeal anything done or any action taken in exercise of any power conferred by, or under the said ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act in force on the day on which such thing was done or action taken. By Order of the Governor of Bihar, P.C. Choudhary, Secretary to the Government.