



Govt. of Jammu & Kashmir (UT)  
JAMMU MUNICIPAL CORPORATION,  
TOWN HALL, Jammu

16/15.1.21  
All the Hon'ble Council Members/  
Hon'ble Members,

No: 1326-1408/Secy/2020/C

Dated: 15/01/2021.

Subject: Insertion of new Section in the Jammu and Kashmir Municipal Corporation Act  
(Amendment of Section 36 of the Municipal Corporation Act, XXI of 2000 thereof).

Sir,

Kindly find enclosed herewith the insertion of new section in the Jammu and Kashmir Municipal Corporation Act (Amendment of Section 36 of the Municipal Corporation Act, XXI of 2000 thereof) for your kind information.

Yours faithfully,

(Tinna Mahajan) K.A.S  
Secretary  
Municipal Corporation  
Jammu

Encls:- 01 leaf.

**Copy to the:-**

1. Hon'ble Mayor, JMC for information please.
2. Hon'ble Dy. Mayor, JMC for information please.

**Copy also to the:-**

1. Commissioner, JMC for information please.
2. Joint Commissioner(A), JMC for information please.
3. Chief Accounts Officer, JMC for information please.
4. Asstt. Commissioner (R), JMC for information.
5. Senior Law Officer, JMC for information.
6. Revenue Officer (concerned), JMC for information.
7. Informatics Officer, JMC for information and uploading to the JMC website as well as information to all Hon'ble Councillors in the whatsapp group.
8. Office record file.

## 24. THE JAMMU AND KASHMIR MUNICIPAL CORPORATION ACT (XXI of 2000)

Insertion of new section.—

After section 34-B, insert:-

**DISQUALIFICATION  
ON THE GROUND OF  
DEFECTION NOT TO  
APPLY IN CASE OF  
SPLIT**

"34-BB.- (1) A member of a Corporation shall not be disqualified under sub-section (1) of section 34-A where he and any other member of his original political party constitute the group representing a faction which has arisen as a result of split in his original political party and from the time of such split, such faction shall be deemed to be the political party to which he belongs for the purposes of sub-section (1) of section 34-A and to be his original political party for the purposes of this sub-section.

(2) For the purposes of sub-section (1), the split of the original political party of a member of a Corporation shall be deemed to have taken place if and only if not less than two-third of the members of the political party concerned have agreed to such split."

Section 36.—

(i) In sub-section (1), for "elect one of its Councillors", substitute "elect through open ballot one of its Councillors"; and

(ii) In sub-section (2) —

(a) for "five years from the date of his election as such", substitute "co-terminus with the term of the Corporation"; and

(b) after first proviso, add:-

"Provided further that the term of the Mayor and the Deputy Mayor who have been elected as such before the commencement of the Jammu and Kashmir Reorganisation (Adaptation of State Laws) Fifth Order, 2020 shall also be co-terminus with the term of the Corporation."

Section 37.—

In sub-section (2), for "not less than one-half" substitute "not less than three-fourth"; and

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## 25. THE JAMMU AND KASHMIR CIVIL SERVICES DECENTRALIZATION AND RECRUITMENT ACT (XVI of 2010)

Section 3A. — After sub-section (2), insert:-

"(3) Notwithstanding anything contained in sub-section (1), spouse of a domicile shall also be deemed to be a domicile for the purposes of sub-section (1)".

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## 26. THE STAMP ACT, SAMVAT 1977 (1920 A.D) (XL of Svt. 1977)

Insertion of new section.—After section 1, insert: —

"1A. The provisions incorporated in the Act by virtue of the Jammu and Kashmir Reorganization (Adaptation of State Laws) Fifth Order, 2020 shall come into force on such date as the Government may, by notification in the Official Gazette, appoint."

Section 2. — (i) for clause (1), substitute:-