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The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड-1

PART II—Section 1

अधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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No. 19] NEW DELHI, SATURDAY, JUNE 4, 1966/JYAISTHA 14, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह ग्रन्थ संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW
(Legislative Department)

New Delhi, the 4th June, 1966/Jyaistha 14, 1888 (Saka)

The following Act of Parliament received the assent of the President on the 2nd June, 1966, and is hereby published for general information:—

THE DELHI ADMINISTRATION ACT, 1966

No. 19 of 1966

[2nd June, 1966]

An Act to provide for the administration of the Union territory of Delhi and for matters connected therewith.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. (1) This Act may be called the Delhi Administration Act, 1966.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint: Provided that different dates may be appointed for different

Short title
and com-
mence-
ment,

provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Administrator" means the Administrator of Delhi appointed by the President under article 239;

(b) "article" means an article of the Constitution;

(c) "constituency" means a constituency provided by order made under section 4 for the purpose of elections to the Metropolitan Council;

(d) "Delhi" means the Union territory of Delhi;

(e) "Election Commission" means the Election Commission appointed by the President under article 324;

(f) "member" means a member of the Metropolitan Council;

(g) "Metropolitan Council" means the Metropolitan Council of Delhi constituted under section 3;

(h) "New Delhi" means the area within the boundaries described in the First Schedule to the Delhi Municipal Corporation Act, 1957;

66 of 1957.

(i) "Official Gazette" means the Official Gazette of Delhi;

(j) "scheduled castes" means any of the scheduled castes specified in Part I of the Schedule to the Constitution (Scheduled Castes) (Union Territories) Order, 1951.

PART II

METROPOLITAN COUNCIL

Constitution of Metropolitan Council.

3. (1) There shall be a Metropolitan Council for Delhi.

(2) The total number of seats in the Metropolitan Council to be filled by persons chosen by direct election from territorial constituencies shall be fifty-six.

(3) The Central Government may nominate not more than five persons, not being persons in the service of Government, to be members of the Metropolitan Council.

(4) Seats shall be reserved for the scheduled castes in the Metropolitan Council and the number of such seats shall bear, as nearly as may be, the same proportion to the total number of seats in the Metropolitan Council as the population of the scheduled castes in Delhi bears to the total population of Delhi:

Provided that the reservation of seats for the scheduled castes in the Metropolitan Council shall cease to have effect on the same date on which the reservation of seats for the scheduled castes in the House of the People shall cease to have effect under article 334, but such cesser shall not affect any representation of the scheduled castes in the Metropolitan Council until the dissolution of the then existing Metropolitan Council.

(5) For the purposes of this section and section 4, the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published.

4. (1) For the purpose of elections to the Metropolitan Council, Delhi shall be divided into single-member constituencies in such manner that the population of each of the constituencies shall, so far as practicable, be the same throughout Delhi.

Delimitation of constituencies.

(2) For the purpose of giving effect to the provisions of sub-section (1), the Election Commission shall determine in the manner hereinafter provided—

(a) the constituencies into which Delhi shall be divided and the extent of each of such constituencies;

(b) the number of seats to be reserved for the scheduled castes in the Metropolitan Council having regard to the provisions of sub-section (4) of section 3 and the constituencies in which these seats shall be so reserved.

(3) For the purpose of assisting the Election Commission in the performance of its functions under sub-section (2), the Commission shall associate with itself all the members of the House of the People representing Delhi:

Provided that none of the said associate members shall have a right to vote or to sign any decision of the Election Commission.

(4) The Election Commission shall—

(a) publish its proposals in regard to matters mentioned in sub-section (2) in the Official Gazette together with a notice specifying the date on or after which the proposals will be further considered by it;

(b) consider all objections and suggestions which may have been received by it before the date so specified, and for the purpose of such consideration, hold one or more public sittings at such place as it thinks fit;

(c) make an order delimiting the constituencies specifying therein the constituencies in which seats shall be reserved for the scheduled castes; and

(d) send an authenticated copy of the order to the Central Government.

(5) An order made by the Election Commission under this section shall not be called in question in any court.

Power to rectify printing mistakes, etc.

5. The Election Commission may, from time to time, by notification in the Official Gazette, correct any printing mistake in any order made under section 4 or any error arising therein from an inadvertent slip or omission.

Qualification for membership.

6. A person shall not be qualified to be chosen to fill a seat in the Metropolitan Council unless he—

(a) is an elector for any constituency and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the Schedule;

(b) is not less than twenty-five years of age; and

(c) in the case of a constituency reserved for the scheduled castes, is also a member of any of those castes.

Electors and electoral rolls.

7. (1) The persons entitled to vote at election of members shall be the persons entitled, by virtue of the provisions of the Constitution and the Representation of the People Act, 1950, to be registered as voters at elections to the House of the People. 43 of 1950.

(2) So much of the electoral roll for any Parliamentary constituency for the time being in force as relates to the areas comprised within a constituency formed under section 4 shall be deemed to be the electoral roll for that constituency for the purposes of this Act.

Right to vote.

8. Every person whose name is, for the time being, entered in the electoral roll of a constituency shall be entitled to vote at the election of a member from that constituency.

43 of 1951.

9. The provisions of Part I and Parts III to XI of the Representation of the People Act, 1951 and of any rules and orders made thereunder, for the time being in force, shall apply in relation to an election to the Metropolitan Council, as they apply in relation to an election to the Legislative Assembly of a State, subject to such modifications as the Central Government may, after consultation with the Election Commission, by order, direct.

Election to Metropolitan Council.

10. The Metropolitan Council, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer, and the expiration of the said period of five years shall operate as a dissolution of the Metropolitan Council:

Duration of Metropolitan Council.

Provided that the said period may, while a Proclamation of Emergency issued under clause (1) of article 352 is in operation, be extended by the President by order for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

11. (1) The Administrator shall, from time to time, summon the Metropolitan Council to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.

Sessions of Metropolitan Council, prorogation and dissolution.

(2) The Administrator may, from time to time,—

(a) prorogue the Metropolitan Council;

(b) with the approval of the President, dissolve the Metropolitan Council.

12. (1) The Metropolitan Council shall, as soon as may be, choose two members to be respectively Chairman and Deputy Chairman thereof and, so often as the office of Chairman or Deputy Chairman becomes vacant, the Metropolitan Council shall choose another member to be Chairman or Deputy Chairman, as the case may be.

The Chairman and Deputy Chairman of the Metropolitan Council.

(2) A member holding office as Chairman or Deputy Chairman,—

(a) shall vacate his office if he ceases to be such a member;

(b) may at any time by writing under his hand addressed, if such member is the Chairman, to the Deputy Chairman, and if such member is the Deputy Chairman, to the Chairman, resign his office; and

(c) may be removed from his office by a resolution of the Metropolitan Council passed by a majority of all the then members:

Provided that no resolution for the purpose of clause (c) shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution:

Provided further that, whenever the Metropolitan Council is dissolved, the Chairman shall not vacate his office until immediately before the first meeting of the Metropolitan Council after the dissolution.

(3) While the office of Chairman is vacant, the duties of the office shall be performed by the Deputy Chairman or, if the office of Deputy Chairman is also vacant, by such member as may be determined by the rules of procedure of the Metropolitan Council.

(4) During the absence of the Chairman from any sitting of the Metropolitan Council, the Deputy Chairman, or, if he is also absent, such person as may be determined by the rules of procedure of the Metropolitan Council, or, if no such person is present, such other person as may be determined by the Metropolitan Council, shall act as Chairman.

(5) The Chairman and the Deputy Chairman shall be entitled to such salaries and allowances as the President may, by order, determine.

Chairman
not to
preside
while a
resolution
for his
removal
from office
is under
considera-
tion.

13. (1) At any sitting of the Metropolitan Council, while any resolution for the removal of the Chairman from his office is under consideration, the Chairman, or while any resolution for the removal of the Deputy Chairman from his office is under consideration, the Deputy Chairman, shall not, though he is present, preside and the provisions of sub-section (4) of section 12 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Chairman, or, as the case may be, the Deputy Chairman, is absent.

(2) The Chairman shall have the right to speak in, and otherwise to take part in the proceedings of, the Metropolitan Council while any resolution for his removal from office is under consideration and shall, notwithstanding anything in section 17, be entitled to vote only in the first instance on such resolution or on any other matter during such proceedings, but not in the case of an equality of votes.

14. The Administrator may attend and address any meeting of the Metropolitan Council and may for that purpose require the attendance of members. Right of Administrator to attend and address meetings of Metropolitan Council.
15. Every member of the Executive Council shall have the right to speak in, and otherwise to take part in the proceedings of, the Metropolitan Council, and any Committee of the Metropolitan Council of which he may be named a member, but shall not by virtue of this section be entitled to vote. Rights of members of Executive Council as respects Metropolitan Council.
16. (1) Every member shall, before taking his seat, make and subscribe before the Administrator, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Schedule. Oath or affirmation by members.
- (2) If a person sits or votes as a member before he has complied with the requirement of sub-section (1), or when he knows that he is not qualified or that he is disqualified for membership thereof, he shall be liable in respect of each day on which he so sits or votes to a penalty of five hundred rupees to be recovered as a debt due to the Union.
17. (1) Save as otherwise provided in this Act, all questions at any sitting of the Metropolitan Council shall be determined by a majority of votes of the members present and voting other than the Chairman or person acting as such. Voting in Metropolitan Council.
- (2) The Chairman or person acting as such shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.
- (3) The Metropolitan Council shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the Metropolitan Council shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do, sat or voted or otherwise took part in the proceedings.
- (4) The quorum to constitute a meeting of the Metropolitan Council shall be fifteen.
- (5) If at any time during a meeting of the Metropolitan Council there is no quorum, it shall be the duty of the Chairman, or person acting as such, either to adjourn the Metropolitan Council or to suspend the meeting until there is a quorum.

Vacation
of seats.

18. (1) No person shall be a member—

(a) both of Parliament and of the Metropolitan Council, or

(b) both of the Metropolitan Council and of the Delhi Municipal Corporation,

and if a person is so chosen, then, at the expiration of fourteen days from the date of publication in the Gazette of India or in the Official Gazette, whichever is later, that he has been so chosen,—

(i) in a case referred to in clause (a), that person's seat in Parliament shall become vacant unless he has previously resigned his seat in the Metropolitan Council, and

(ii) in a case referred to in clause (b), that person's seat in the Metropolitan Council shall become vacant unless he has previously resigned his seat in the Delhi Municipal Corporation.

(2) If a member—

(a) becomes subject to any disqualification mentioned in sub-section (1) of section 19, or

(b) resigns his seat by writing under his hand addressed to the Chairman,

his seat shall thereupon become vacant.

(3) If during a period of six successive months, a member is, without permission of the Metropolitan Council, absent from all meetings thereof, the Metropolitan Council may declare his seat vacant.

Disquali-
fications
for mem-
bership.

19. (1) A person shall be disqualified for being chosen as, and for being, a member of the Metropolitan Council if he is for the time being disqualified for being chosen as, and for being, a member of either House of Parliament under any of the provisions of article 102 or of any law made in pursuance of that article.

(2) For the purposes of this section, a person shall not be deemed to hold an office of profit by reason only that he is a member of the Executive Council.

(3) If any question arises as to whether a member has become disqualified for being such a member under the provisions of sub-section (1), the question shall be referred for the decision of the President and his decision shall be final.

(4) Before giving any decision on any such question, the President shall obtain the opinion of the Election Commission and shall act according to such opinion.

20. (1) Subject to the provisions of this Act and to the rules and standing orders regulating the procedure of the Metropolitan Council, there shall be freedom of speech in the Metropolitan Council.

Powers,
privileges,
etc., of
members.

(2) No member shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Metropolitan Council or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of the Metropolitan Council of any report, paper, votes or proceedings.

(3) The provisions of sub-sections (1) and (2) shall apply in relation to persons who by virtue of this Act have the right to speak in, and otherwise to take part in the proceedings of, the Metropolitan Council or any Committee thereof as they apply in relation to members.

21. Members shall be entitled to receive such salaries and allowances as the President may, by order, determine.

Salaries
and
allow-
ances
of
members.

22. (1) Subject to the provisions of this Act, the Metropolitan Council shall have the right to discuss, and make recommendations with respect to, the following matters in so far as they relate to Delhi, namely:—

Func-
tions of
Metro-
politan
Council.

(a) proposals for undertaking legislation with respect to any of the matters enumerated in the State List or the Concurrent List in the Seventh Schedule to the Constitution in so far as any such matter is applicable in relation to Union territories (hereafter referred to as the State List and the Concurrent List);

(b) proposals for extension to Delhi of any enactment in force in a State relating to any matter enumerated in the State List or the Concurrent List;

(c) proposals for legislation referred to it by the Administrator with respect to any of the matters enumerated in the State List or the Concurrent List;

(d) the estimated receipts and expenditure pertaining to Delhi to be credited to and to be made from, the Consolidated Fund of India; and notwithstanding anything contained in the Delhi Development Act, 1957, the estimated receipts and expenditure of the Delhi Development Authority;

(e) matters of administration involving general policy and schemes of development in so far as they relate to matters enumerated in the State List or the Concurrent List;

(f) any other matter referred to it by the Administrator.

(2) The recommendations of the Metropolitan Council, after having been duly considered by the Executive Council, shall, wherever necessary, be forwarded by the Administrator to the Central Government with the views, if any, expressed thereon by the Executive Council.

Right of
members
to ask
questions.

23. Subject to the rules regulating the procedure of the Metropolitan Council, a member shall have the right to ask questions on any matter in so far as it falls within the purview of the Metropolitan Council under sub-section (1) of section 22.

Rules of
procedure.

24. (1) The Metropolitan Council may make rules for regulating, subject to the provisions of this Act, its procedure and the conduct of its business:

Provided that the Administrator shall, after consultation with the Chairman of the Metropolitan Council and with the approval of the President, make rules for prohibiting the discussion of, or regulating the asking of questions on, any matter which affects the discharge of his functions in so far as he is required by or under this Act to act in his discretion, or by or under any law to exercise judicial or quasi-judicial functions and, if and in so far as any rule so made by the Administrator is inconsistent with any rule made by the Metropolitan Council, the rule made by the Administrator shall prevail.

(2) Until rules are made under sub-section (1), the procedure and conduct of business of the Metropolitan Council shall be regulated by such rules as the Administrator may make in this behalf.

Restric-
tion on
discus-
sion in
Metropoli-
tan Coun-
cil.

25. No discussion shall take place in the Metropolitan Council with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties.

26. (1) The validity of any proceedings in the Metropolitan Council shall not be called in question on the ground of any alleged irregularity of procedure,

Courts not to inquire into proceedings of Metropolitan Council.

(2) No officer or member of the Metropolitan Council in whom powers are vested by or under this Act for regulating procedure or the conduct of business, or for maintaining order in the Council shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

PART III

EXECUTIVE COUNCIL

27. (1) There shall be an Executive Council, consisting of not more than four members one of whom shall be designated as the Chief Executive Councillor and others as the Executive Councillors, to assist and advise the Administrator in the exercise of his functions in relation to matters enumerated in the State List or the Concurrent List, except in so far as he is required by or under this Act to exercise his functions or any of them in his discretion or by or under any law to exercise any judicial or quasi-judicial functions:

Provided that, in case of difference of opinion between the Administrator and the members of the Executive Council on any matter, other than a matter in respect of which he is required by or under this Act to act in his discretion, the Administrator shall refer it to the President for decision and act according to the decision given thereon by the President, and pending such decision, it shall be competent for the Administrator in any case where the matter is in his opinion so urgent that it is necessary for him to take immediate action, to take such action or to give such direction in the matter as he deems necessary:

Provided further that every decision taken by a member of the Executive Council or by the Executive Council in relation to any matter concerning New Delhi shall be subject to the concurrence of the Administrator, and nothing in this sub-section shall be construed as preventing the Administrator in case of any difference of opinion between him and the members of the Executive Council from taking any action in respect of the administration of New Delhi as he, in his discretion, considers necessary.

(2) The Administrator shall preside at every meeting of the Executive Council, but if he is obliged to absent himself from any meeting of the Council owing to illness or any other cause, the Chief Executive Councillor shall preside at the meeting of the Council.

(3) The functions of the Administrator with respect to law and order in Delhi including the organization and discipline of police force, and with respect to such other matters as the President may from time to time specify in this behalf, shall be exercised by him in his discretion.

(4) If any question arises as to whether any matter is or is not a matter as respects which the Administrator is by or under this Act required to act in his discretion, the decision of the Administrator thereon shall be final.

(5) If any question arises as to whether any matter is or is not a matter as respects which the Administrator is required by or under any law to exercise any judicial or quasi-judicial functions, the decision of the Administrator thereon shall be final.

(6) If any question arises as to whether any matter is or is not a matter concerning New Delhi, the decision of the Administrator thereon shall be final.

(7) The question whether any, and if so, what advice was tendered by any member of the Executive Council to the Administrator shall not be enquired into in any court.

Other
provi-
sions as
to mem-
bers of
Execu-
tive Coun-
cil.

28. (1) The members of the Executive Council shall be appointed by the President.

(2) The members of the Executive Council shall hold office during the pleasure of the President.

(3) Before a member of the Executive Council enters upon his office, the Administrator shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Schedule.

(4) A member of the Executive Council who for any period of six consecutive months is not a member of the Metropolitan Council shall, at the expiration of that period, cease to be a member of the Executive Council.

(5) The salaries and allowances of the members of the Executive Council shall be such as the President may, by order, determine.

Conduct
of busi-
ness.

29. (1) The President shall make rules—

(a) for the allocation of business to the members of the Executive Council in so far as it is not business with respect to

which the Administrator is required by or under this Act to act in his discretion; and

(b) for the more convenient transaction of business with the members of the Executive Council, including the procedure to be adopted in the case of a difference of opinion between the Administrator and the members of the Executive Council or a member of that Council.

(2) Save as otherwise provided in this Act, all executive action of the Administrator, whether taken in his discretion or otherwise, shall be expressed to be taken in the name of the Administrator.

(3) Orders and other instruments made and executed in the name of the Administrator shall be authenticated in such manner as may be specified in the rules to be made by the Administrator, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Administrator.

PART IV

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

30. Notwithstanding anything in this Act, the Administrator and the members of the Executive Council shall be under the general control of, and comply with such particular directions, if any, as may from time to time be given by, the President.

Relation of Administrator and members of Executive Council to President.

31. If the President, on receipt of a report from the Administrator or otherwise, is satisfied—

Provision in case of failure of constitutional machinery.

(a) that a situation has arisen in which the administration of Delhi cannot be carried on in accordance with the provisions of this Act; or

(b) that for the proper administration of Delhi it is necessary or expedient so to do,

the President may, by order, suspend the operation of all or any of the provisions of this Act for such period as he thinks fit and make such incidental and consequential provisions as may appear to him to be necessary or expedient for administering Delhi in accordance with the provisions of article 239.

Provisions
as to
Interim
Metropo-
litan
Council.

32. (1) Until a Metropolitan Council has been duly constituted and summoned to meet for the first session under the provisions of Part II of this Act, there shall be an Interim Metropolitan Council consisting of—

(a) forty-two members elected by the members of the electoral college for Delhi, as in existence immediately before the commencement of this Act, in accordance with rules made by the Central Government in this behalf, such elections being held in accordance with the system of proportional representation by means of the single transferable vote, and

(b) not more than five members, not being persons in the service of Government, nominated by the Central Government.

(2) No person shall be qualified to be chosen as a member of the Interim Metropolitan Council unless he is an elector for any Parliamentary constituency in Delhi, and is not less than twenty-five years of age.

(3) The term of office of the members of the Interim Metropolitan Council shall expire immediately before the first meeting of the Metropolitan Council duly constituted under this Act.

(4) Election by the members of the electoral college for Delhi under sub-section (1) shall not be called in question on the ground merely of the existence of any vacancy in the membership of such college.

(5) In other respects, the provisions of Part II shall, so far as may be, apply in relation to the Interim Metropolitan Council as they apply in relation to the Metropolitan Council constituted under and in accordance with the provisions of that Part:

Provided that nothing contained in clause (b) of sub-section (1) of section 18 shall preclude a person from being a member of the Interim Metropolitan Council and also of the Delhi Municipal Corporation until the next general election for the Corporation is held under the Delhi Municipal Corporation Act, 1957.

66 of 1957.

Interim
Executive
Council.

33. (1) Notwithstanding anything contained in Part III, the President may appoint such members of the Interim Metropolitan Council, not exceeding four in number, as he thinks fit to be the members of the Interim Executive Council.

(2) The members of the Interim Executive Council shall hold office during the pleasure of the President.

(3) A member of the Interim Executive Council shall cease to hold office as such if he ceases to be a member of the Interim Metropolitan Council.

(4) Subject to the foregoing provisions, the members of the Interim Executive Council shall—

(a) exercise all the powers and perform all the duties conferred by the provisions of this Act on the members of the Executive Council,

(b) be entitled to such salaries and allowances as the President may, by order, determine.

34. For the removal of doubts it is hereby declared that—

Contracts
and suits.

(a) all contracts in connection with the administration of Delhi are contracts made in the exercise of the executive power of the Union;

(b) all suits and proceedings in connection with the administration of Delhi shall be instituted by or against the Government of India.

35. In the Representation of the People Act, 1950, in section 27A, for sub-section (3), the following sub-section shall be substituted, namely:—

Amend-
ment of
Act 43 of
1950.

“(3) The electoral college for the Union territory of Delhi shall consist of the elected members of the Metropolitan Council constituted for that territory under the Delhi Administration Act, 1966.”

36. In the Delhi Development Act, 1957, in section 3,—

Amend-
ment of
Act 61
of 1957.

(i) for clause (f) of sub-section (3), the following clause shall be substituted, namely:—

“(f) as and when the Metropolitan Council for the Union territory of Delhi is constituted, three representatives of that Council to be elected by the members of the Council

from among themselves, and until that Council is constituted, three representatives of the Interim Metropolitan Council to be elected by the members of the Interim Metropolitan Council from among themselves;";

(ii) in sub-section (6), the words, brackets, letter and figure "and the three representatives of the Advisory Committee of Delhi referred to in clause (f) of sub-section (3) shall hold office for so long only as they continue to be members thereof" shall be omitted;

(iii) for sub-sections (7) and (8), the following sub-section shall be substituted, namely:—

"(7) An elected member shall hold office for a term of five years from the date of his election to the Authority and shall be eligible for re-election:

Provided that such term shall come to an end as soon as the member ceases to be a member of the body from which he was elected."

Amend-
ment of
Act 20 of
1963.

37. In the Government of Union Territories Act, 1963, in clause (a) of sub-section (2) of section 41, for the words "the total number thereof remaining the same;", the words and figures "the number being 7, 4, 2 and 2;" shall be substituted.

Powers of
Presi-
dent to
remove
difficul-
ties.

38. (1) If any difficulty arises in giving effect to the provisions of this Act and, in particular in relation to the constitution of the Interim Metropolitan Council, the President may, by order, do anything not inconsistent with the provisions of this Act which appear to him to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

THE SCHEDULE

[See sections 6(a), 16(1) and 28 (3)]

FORMS OF OATHS OR AFFIRMATIONS

I

FORM OF OATH OR AFFIRMATION TO BE MADE BY A CANDIDATE FOR
ELECTION TO THE METROPOLITAN COUNCIL

"I, A.B., having been nominated as a candidate to fill a seat in the Metropolitan Council of Delhi do swear in the name of God solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India."

II

FORM OF OATH OR AFFIRMATION TO BE MADE BY A MEMBER OF
THE METROPOLITAN COUNCIL

"I, A.B., having been elected (or nominated) a member of the Metropolitan Council of Delhi do swear in the name of God solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter."

III

FORM OF OATH OF OFFICE FOR A MEMBER OF THE EXECUTIVE COUNCIL

"I, A.B., do swear in the name of God solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a member of the Executive Council, and that I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill-will".

IV

FORM OF OATH OF SECRECY FOR A MEMBER OF THE EXECUTIVE COUNCIL

"I, A.B., do swear in the name of God that I will not directly or
solemnly affirm
indirectly communicate or reveal to any person or persons any matter
which shall be brought under my consideration or shall become
known to me as a member of the Executive Council except as may
be required for the due discharge of my duties as such member."

S. P. SEN-VERMA,
Secy. to the Govt. of India.