

SCHEDULE VII
POWERS OF THE ¹[STATE GOVERNMENT] THAT MAY NOT BE DELEGATED
(Section 327)

Section	Power or duties
² [3 (1)	To specify with limits any area to be a transitional area or a smaller urban area, as the case may be.
(2)	To include or exclude any area in or from a transitional area or a smaller urban area, as the case may be.]
³ 3(1)(b)	[x x x]
8 (1) (n)	⁴ [To declare expenditure on anything to be an appropriate charge on the municipal fund ;]
⁵ [9 (a)]	To prescribe by notification the number of members of a board who may be elected.
⁶ [9 (d)	To nominate the members to the Nagar Panchayats or to the Municipal Council as the case may be,]
[10] ⁷	[* * * *] ⁷
⁸ [13-A	To appoint date or dates for general election to a Municipality.]

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1. *Subs.* by the A. O. 1950 for (Provl. Govt.) Which had been *subs.* by the A. O. 1937 for (L. G.).
 2. *Subs.* by *sec. 53(c) of U. P. Act no. 26 of 1995.*
 3. *Omitted* by *sec. 162 of U.P. Act no. 12 of 1994.*
 4. *Ins.* by *sec. 162 c(iii) of U. P. Act no. 12 of 1994.*
 5. *Subs.* by *sec. 53 of U. P. Act no. 26 of 1995.*
 6. *Ins.* by *sec. 53 of U. P. Act no. 26 of 1995.*
 7. *Omit.* by *sec. 53 of U. P. Act no. 26 of 1995.*
 8. *Ins.* by *sec. 53(v) of U.P. Act no. 26 of 1995.*

Section	Power or duties
[13 (d)] ¹	To remove a disqualification under (a) and (b) of this (section) ² .
[13 (1)	To direct that a casual vacancy be left unfilled till the next general election) ³ .
[22] ⁴	⁴ [* * * *]
30	(To dissolve [or] a Municipality for a specified period) ⁵ .
31	⁶ [* * * *]
34 (2)	To rescind or modify an order passed under this section by the (Prescribed Authority) or the District Magistrate with respect to a city.
35 (in party) ⁷	⁸ [x x x] to fix a period for the performance of duty and if the duty is not performed within the period fixed, to appoint the District Magistrate to perform it and to direct that the expense of performing it shall be paid by the Municipality. ⁸ [* * * *]
40 (1)	⁹ (To remove a member of a Municipality ;)
40 (2)	¹⁰ [* * * *]
40 (3)	To remove a member ¹¹ [in certain specified circumstances.].
¹² [40 (5)	[x x x].
¹³ 40 (6)	To warn ⁸ [x x x] a member as a punishment.]
(41 (4)	To declare a member removed by the (State Government) ¹³ to be no longer ineligible for further election co-option or nomination) ¹⁴ .

1. [Subs. by sec. 44 \(2\) of U. P. Act no. VII of 1953.](#)
2. [Subs. by sec. 44 \(3\) *ibid* for \(sub-section\).](#)
3. [Add. by sec. 44 \(4\) *ibid*.](#)
4. [Omit. by sec. 99 of U. P. Act no. 27 of 1964.](#)
5. Entries relating to sec. 30, 41, 44(2) subs. by sec. 93 (2) *ibid* of which the last one had been *Ins.* by sec. 34 of U. P. Act no. V of 1932.
6. [Omit. by sec. 162 of U. P. Act no. 12 of 1994.](#)
7. [Ins. by sec. 17 of U. P. Act no. II of 1919. Omit. by sec. 162 of U.P. Act No. 12 of 1994.](#)
8. Entries relating to sec. 38 (4) and 44 del. by sec. 31 of U. P. Act no. V of 1932.
9. [Subs. by sec. 162 of U.P. Act No. 12 of 1994.](#)
10. [Omit. by Schedule VII sec. 40 \(2\) of U. P. Act no. 12 of 1994.](#)
11. [Subs. by sec. 99 of U.P. Act No. 27 of 1964.](#)
12. [Ins. by sec. 99 of U.P. Act No. 27 of 1964. Omit. by sec. 162 of U.P. Act No. 12 of 1994.](#)
13. [Subs. by the A. O. 1950 for \(Provl. Govt.\) Which had been subs. by the A. O. 1937 for \(L. G.\).](#)
14. [Ins. by sec. 93 \(3\) of U. P. Act no. VII of 1949.](#)

[The "Uttar Pradesh" Municipalities Act, 1916]

Section	Power or duties
43 (2)	[* * * *] ¹
43 (3)	[* * * *] ²
43 (b)	[* * * *] ³
	[* * * *] ⁴
	[* * * *] ⁵
47-A	[* * * *] ⁶
48	⁷ (To remove [x x x] a President.)
⁸ [55 (3)	To remove [x x x] a Vice-President.]
57	⁹ [To approve the appointment] of an executive officer and a medical officer of health). To entertain an appeal by an executive officer against an order or punishment or dismissal to allow, disallow or vary such punishment or dismissal, to suspend the Executive officer pending the decision of his appeal ; and to transfer a medical officer of health from one Municipality to another ; ¹⁰
58	To entertain and pass orders on an appeal by an Executive Officer against no dismissal removal or other punishment to transfer a Medical Officer of Health from one Municipality to another. [* * * *] ¹¹
(59 (3)	¹² [To approve the appointment] of an officiating executive officer if the term of appointment exceeds two months) ¹³ .
(60-A	To direct that in any municipality the medical of health and nor executive officer shall exercise certain powers conferred on the executive officers) ¹³ .

1. [Omit. by Schedule VII sec. 99 of U. P. Act no. 27 of 1964.](#)
2. [Omit. by Schedule VII sec. 99 of U. P. Act no. 27 of 1964.](#)
3. [Omit. by Schedule VII sec. 99 of U. P. Act no. 27 of 1964.](#)
4. Entries relating to sec. 38 (4) and 44 del. by sec. 34 of U. P. Act no. V of 1932.
5. Entries relating to sec. 44, 44-A (1), 44-A (3), 44-A (4) and 45 omit. by sec. 943 (1) of U. P. Act no. VII of 1949 of which first four had been ins. by sec. 34 of U. P. Act V of 1932.
6. [Omit. by sec. 162 of U. P. Act no. 12 of 1994.](#)
7. [Subs. by sec. 99 of U. P. Act no. 27 of 1964. Omit. by sec. 162 of U.P. Act No. 12 of 1994.](#)
8. [Ins. by sec. 99 of U. P. Act no. 27 of 1964. Omit. by sec. 162 of U.P. Act No. 12 of 1994.](#)
9. [Subs. by sec. 99 of U. P. Act no. 27 of 1964.](#)
10. Ins. by sec. 34 *ibid*.
11. Entries sec. 58 (3) and (4), 65 (1) and (3) del. by *ibid*.
12. [Subs. by Schedule VII sec. 59 \(3\) of U. P. Act no. 27 of 1964.](#)
13. Ins. by sec. 34 of U. P. Act no. V of 1932.

Section	Power or duties
(60-B)	To direct that in any municipality the Principal Officers of the Electrical, Public Works, and Water works Departments ¹ [and Municipal Museum] shall with reference to their departments the power under clause (e) of sub-section (1) of section 60.) ²
(65)	In default of his appointment by a board to appoint a person to be an executive officer or to act as executive officer and to fix the salary, contributions to provident fund or pension and other conditions appertaining to such appointment.) ³ [* * * *] ⁴
[73]	[* * * *] ⁵
[74]	[* * * *] ⁵
79 (4) & (5)	To sanction grant of compassionate allowance or grant or purchase of annuity by Municipality.
99 (2)	To direct submission of budgets specified officers.
102	To direct that budgets of specified Municipalities shall be subject to sanction.
(104 (1)	To require a Municipality to appoint committees.) ⁶
(110)	To require the appointment of joint committees.
(114-A)	To permit a Municipality to raise loans.) ⁷
115 (2)	To determine the amount of security of a banker.
116	To make reservation regarding property ordinarily vesting in Municipality.
117	To acquire land for a Municipality under the Land Acquisition Act.
122 (1) Act I of 1894	To declare by notification that portion of the property and liabilities of municipal board, shall be transferred to another local authority when a portion of the municipal area is placed under the control of such local authority.
(122 (2)	To declare what portion of the property and liabilities of a municipal board shall be transferred to the (State Government) ⁸ when a local area is ⁹ [excluded from the transitional area or the smaller urban areas, as the case may be" and is not immediately placed under the control of another local authority ¹⁰ .

1. [Ins. by sec. 99 of U. P. Act no. 27 of 1964.](#)

2. [Ins. by sec. 44 \(8\) of U. P. Act no. VII of 1953.](#)

3. [Ins. by sec. 34 of U. P. Act no. V of 1932.](#)

4. [Entrics sec. 58 \(3\) and \(4\), 65 \(1\) and \(3\) del. by *ibid.*](#)

5. [Omitt. by sec. 99 of U.P. Act No. 27 of 1964.](#)

6. [Ins. by sec. 94 of U. P. Act no. VII of 1949.](#)

7. [Ins. by sec. 93 \(3\) *ibid.*](#)

8. [Subs. by the A. O. 1950 for \(Provl. Govt.\) Which had been subs. by the A. O. 1937 for \(L. G.\).](#)

9. [Subs. by sec. 162 of of U. P. Act no. 12 of 1994.](#)

10. [Subs. by sec. 94 \(2\) of U. P. Act no. VII of 1949.](#)

Section	Power or duties
122 (3)	To decide in any case falling under sub-section (1) or (2) that it is undesirable to transfer any portion of municipal funds or liabilities.
124 (2)	To sanction the transfer to (Government) ¹ of any property vested in a Municipality.
126	To provide police protection at fairs, etc, and determine the portion of the charges payable by a Municipality.
(130-A	To require a Municipality to impose a tax or to vary its rates.) ²
133 (2)	To sanction, refuse to sanction or return for further consideration proposals for taxation under section 128, sub-section (1), clauses (i) to (xii) submitted by a city, or proposals for taxation received from any Municipality under section 128 sub-section (1), clause (xiii).
135 (2)	To notify the imposition of a tax sanctioned by the (State Government) ³ .
137 (1)	To require a Municipality to remove a defect in or relating to a tax.
137 (2)	To suspend, abolish or reduce a tax.
157 (3)	To exempt from taxation.
160 (1)	To empower an officer to hear appeals against taxation.
180-A	To approve construction of places of public entertainment.) ³
279 & 280	To notify infectious diseases.
296 (in part) ²	(To make rules (except rules under clauses (a), (b) and (c) of section 153 applicable to municipalities other than cities).
318	To appoint an officer to hear appeals from certain orders of Municipality.
327	To delegate powers.
(336-A	To direct that during the transition period, the Act shall have effect subject to certain adaptations, alteration as and modifications ;
337	[* * * * *] ⁴
338 (c)	[x x x] ⁴

1. Subs. by A. O. 1950 for (His Majesty).

2. Ins. by sec. 93 (3) of U. P. Act no. VII of 1949.

3. Subs. by the A. O. 1950 for (Provl. Govt.) Which had been subs. by the A. O. 1937 for (L. G.).

4. [Omit. by sec. 162 of U. P. Act no. 12 of 1994.](#)

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Section	Power or duties
1338 (2) [* * * * *]	
1339 [* * * * *] ¹	