

Assam Municipality Disclosure Act, 2007

27 of 2007

[12 December 2007]

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PREAMBLE

to provide for transparency and accountability in the functioning of the Municipal Corporation or Municipalities of Assam.

Whereas it is expedient to provide for transparency and accountability in the functioning of the Municipal Corporation or Municipalities of Assam.

It is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:-

1. Short title, extent and commencement :-

(1) This Act may be called the Assam Municipality Disclosure Act, 2007.

(2) It extends to such Municipal Corporation and other Municipalities of Assam as may be notified by the State Government in the Official Gazette from time to time.

(3) It shall come into force on such date as the State Government, may, by "notification in the Official Gazette, appoint in his behalf.

2. Definitions :-

In this Act, unless there is anything repugnant in the subject or context-

- (a) "Municipal Corporation or Municipality" means an institution of Self Government constituted under Article 243-Q of the Constitution of India.
- (b) "State Government" means the Government of Assam;
- (c) "Prescribed" means prescribed by rules made under this Act.

3. Obligation of Municipal Corporation and Municipality :-

Every Municipal Corporation or Municipality shall maintain and publish all its records duly catalogued and indexed, in a manner and form which enables the Municipal Corporation or Municipality under this Act to disclose the required information as specified in Part-A and Part-B of Appendix to this Act at quarterly intervals.

4. Manner of disclosure :-

The disclosure under section 3 shall be made through,-

- (a) newspaper in regional, Hindi and English language;
- (b) Internet;
- (c) notice boards of the Municipal corporation or Municipality;
- (d) ward offices,
- (e) any other mode as may be prescribed, by the State Government under the rules or specified by notification issued from time to time.

5. Power to make rules :-

- (1) The State Government may make rules for carrying out the purposes of this Act.
- (2) All rules made by the State Government under this Act shall, as soon as may be after they are made, be laid before the State Legislature, while it is in session, for a total period of not less than fourteen days which may be comprised in one session or two or more successive sessions, and shall, unless some later date is appointed, take effect from the date of their publication in the Official Gazette subject to such modifications or annulments as the Legislature may, during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

APPENDIX PART-A

1. Particulars of the Municipal Corporation or Municipality;
2. A statement of the Boards, Councils, Committees and other Bodies consisting of two or more persons, constituted as its part or for the purpose of its advice, and as to whether meetings of those Boards, Councils, Committees and other Bodies are open to the public or the minutes of such meetings are accessible for public;
3. A directory of its officers and employees;
4. The particulars of officers who grant concession, permits or authorization for each activity.

PART-B

1. Audited financial statements of Balance Sheet, Receipts and Cash Flow on a quarterly basis, within two months of end of each quarter; and statutorily audited financial statement for the full financial year, within three months of the end of the financial year;
2. The service levels being provided for each of the services being undertaken by the Municipal Corporation or Municipality;
- 3 . Particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and report on disbursements made;
4. Details on subsidy programme on major services provided or activities performed by the Municipal Corporation or Municipality, and manner and criteria of identification of beneficiaries for such programmes;
5. Particulars of the Master Plan, City Development Plan or any other plan concerning the development of the municipal area;
6. The particulars of major works as may be prescribed in the rules to be made under this Act, together with information on the value of works, time of completion, and details of contract;
7. The details of Municipal Corporation or Municipal funds i.e., income generated in the previous year by the following-
 - (a) taxes, duties, cess and surcharge, rent from the properties, fees from licenses and permission;
 - (b) taxes, duties, cess and surcharge, rent from the properties, fees from licenses and permission that remain uncollected and reason thereof;
 - (c) share of taxes levied by the State Government and transferred to the Municipal Corporation or Municipality and the grants released to the Municipal Corporation or Municipality;
 - (d) grants released by the State Government for implementation of the schemes, projects as assigned or entrusted to the Municipal Corporation or Municipality, the nature and extent of utilization;
 - (e) money raised through donation or contribution from public or non-Governmental agencies;
8. annual budget allocated to each ward; and
9. such other information as may be prescribed.