

Maharashtra Municipal Corporations And Municipal Councils (Second Amendment) Act, 2007

33 of 2007

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Maharashtra Municipal Corporations And Municipal Councils (Second Amendment) Act, 2007

33 of 2007

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 26th December, 2007). An Act further to amend the Mumbai Municipal Corporation Act, the Bombay Provincial Municipal Corporations Act, 1949, the City of Nagpur Corporation Act, 1948 and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. WHEREAS, it is expedient further to amend the Mumbai Municipal Corporation Act, (Bom. III of 1888), the Bombay Provincial Municipal Corporations Act, 1949, (Bom. LIX of 1949) the

City of Nagpur Corporation Act, 1948 (C.P. and Berar II of 1950) and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, (Mah. XL of 1965), for the purposes hereinafter appearing; it is hereby enacted in the Fifty-eighth of the Republic of India as follows :-

CHAPTER 1

PRELIMINARY

1. Short Title And Commencement :-

(1) This Act may be called the Maharashtra Municipal Corporations and Municipal Councils (Second Amendment) Act, 2007.

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

CHAPTER 2

AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT

2. Insertion Of Chapter Iv-A In Bom. Iii Of 1888 :-

After section 86 of the Mumbai Municipal Corporation Act, (Bom. III of 1888), the following Chapter shall be inserted, namely :-

"CHAPTER IV-A

DISCLOSURE OF SPECIFIED INFORMATION

86-A. Disclosure of specified information. - (1) The Corporation shall maintain and publish all its record duly catalogued and indexed in a manner, and form which enables the Corporation to disclose the information, specified in sub-section (3).

(2) the Manner of disclosure of information shall include the publication of the information, -

(i) in News papers;

(ii) on Internet;

(iii) on Notice boards of the Corporation at its Head Office as well as Ward Offices;

(iv) by such other mode, as may be prescribed :

Provided that, the information shall be disclosed in the language in which it is available with the Corporation.

(3) The Corporation shall be required to disclose the following information, namely :-

(i) particulars of the Corporation;

(ii) a statement showing the boards, Councils, committees and other bodies by whatever name called, constituted for the purpose of exercising the functions of the Corporation or rendering advise to

it, whether or not the meetings of those boards, Councils, committees

and other bodies are open to the public or the minutes of such meetings are accessible to the public;

(iii) a directory of its officers and employees;

(iv) the particulars of officers who are empowered to grant concessions, permits or authorisations for any activity of the Corporation;

(v) audited financial statements showing Balance sheet, Receipts and Expenditures, and cash flow on a quarterly basis, within two months of end of each quarter, and audited financial statements for the full financial year, within three months of the end of the financial year;

(vi) the statement showing each of the services provided by the Corporation;

(vii) particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and reports on disbursements made;

(viii) details of subsidy programmes on major services provided or activities performed by the Corporation, and manner and criteria of identification of beneficiaries for such programmes;

(ix) particulars of the master plan, city development plan or any other plan concerning the development of the municipal area;

(x) particulars of the major works, as may be specified by notification by the State Government, in the Official Gazette, together with information on the value of works, time of completion and details of contract;

(xi) the details of the 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 permissions;

(b) taxes, duties, cess and surcharge, rent from the properties, fees from licenses and permission that remain uncollected and the reasons thereof;

(c) share of taxes levied by the State Government and transferred to the Corporation and the grants released to the Corporation;

(d) grants released by the State Government for implementation of the schemes, projects and plans assigned or entrusted to the Corporation, the nature and extent of utilization;

(e) Money raised through donation or contribution from public or non-governmental agencies;

(xii) annual budget allocated to each ward;

(xiii) such other information, as may be prescribed."

CHAPTER 3

AMENDMENTS TO THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS ACT, 1949

3. Insertion Of Chapter Iv-A In Bom. Lix Of 1949 :-

After section 60 of the Bombay Provincial Municipal Corporations Act, 1949, (Bom. LIX of 1949) the following Chapter shall be inserted, namely :-

"CHAPTER IV-A

DISCLOSURE OF SPECIFIED INFORMATION

60-A. Disclosure of specified information. - (1) The Corporation shall maintain and publish all its record duly catalogued and indexed in a manner, and form which enables the Corporation to disclose the information specified in sub-section (3).

(2) The manner of disclosure of information shall include the publication of the information -

(i) in News papers;

(ii) on Internet;

(iii) on Notice boards of the Corporation at its head office as well as Ward Offices;

(iv) by such other mode, as may be prescribed :

Provided that, the information shall be disclosed the following information, namely :-

(3) The Corporation shall be required to disclosed the following information, namely :-

(i) particulars of the Corporation;

(ii) a statement showing the boards, Councils, Committees and other bodies, by whatever name called, constituted for the purpose of exercising the functions of the Corporation or rendering advise to it, whether or not the meetings of those boards, Councils, Committees and other bodies are open to the public or the minutes of such meetings are accessible to the public;

(iii) a directory of its officers and employees;

(iv) the particulars of officers who are empowered to grant concessions, permits or authorisations for any activity of the Corporation;

(v) audited financial statements showing Balance sheet, Receipts and Expenditures, and cash flow on a quarterly basis, within two months of end of each quarter, and audited financial statements for the full financial year, within three months of the end of the

financial year;

(vi) the statement showing each of the services provided by the Corporation;

(vii) Particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and reports on disbursements made;

(viii) details of subsidy programmes on major services provided or activities performed by the Corporation, and manner and criteria of identification of beneficiaries for such programmes;

(ix) particulars of the master plan, city development plan or any other plan concerning the development of the municipal area;

(x) the particulars of major works, as may be specified by notification by the State Government, in the Official Gazette, together with information on the value of works, time of completion and details of contract;

(xi) the details of the 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 permissions;

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(b) taxes, duties, cess and surcharge, rent from the properties, fees from licenses and permissions that remain uncollected and the reasons thereof;

(c) share of taxes levied by the State Government and transferred to the Corporation and the grants released to the Corporation;

(d) grants released by the State Government for implementation of the schemes, projects and plans assigned or entrusted to the Corporation, the nature and extent of utilization;

(e) money raised through donation or contribution from public or non-governmental agencies;

(xii) annual budget allocated to each ward ;

(xiii) such other information, as may be prescribed."

CHAPTER 4

AMENDMENTS TO THE CITY OF NAGPUR CORPORATION ACT, 1948

4. Insertion Of Chapter Iv-A In C.P. And Berar II Of 1950 :-

After section 56 of the city of Nagpur Corporation Act, 1948, (C.P. and Berar II of 1950), the following Chapter shall be inserted, namely :-

"CHAPTER IV-A

DISCLOSURE OF SPECIFIED INFORMATION

56-A. Disclosure of specified information. - (1) The Corporation shall maintain and publish all its record duly catalogued and indexed in a manner, and form which enables the Corporation to disclose the information specified in sub-section (3).

(2) The manner of disclosure of information shall include the publication of the information -

(i) in News papers;

(ii) on Internet;

(iii) on Notice boards of the Corporation at its Head Office as well as Ward Offices ;

(iv) by such other mode, as may be prescribed :

Provided that, the information shall be disclosed in the language in which it is available with the Corporation.

(3) The Corporation shall be required to disclose the following information, namely :-

(i) particulars of the Corporation :

(ii) a statement showing the boards, Councils, Committees and other Bodies, by whatever name called, constituted for the purpose of exercising the functions of the Corporation of rendering advise to it, whether or not the meetings of those boards, Councils, Committees and other bodies are open to the public or the minutes of such meetings are accessible to the public;

(iii) a directory of its officers and employees;

(iv) the particulars of officers who are empowered to grant concessions, permits or authorisations for any activity of the Corporation;

(v) audited financial statements showing balance sheet, Receipts and expenditures, and cash flow on a quarterly basis, within two months of end of each quarter, and audited financial statements for the full financial year, within three months of the end of the financial year;

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(vi) the statement showing each of the services provided by the Corporation;

(vii) particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and reports on disbursements made;

(viii) details of subsidy programmes on major services provided or activities performed by the Corporation, and manner and criteria of identification of beneficiaries for such programmes;

(ix) particulars of the master plan, city development plan or any other plan concerning the development of the municipal area;

- (x) the particulars of major works, as may be specified by notification by the State Government, in the Official Gazette, together with information on the value of works, time of completion and details of contract;
- (xi) the details of the 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 permissions;
 - (b) taxes, duties cess and surcharge, rent from the properties, fees from licenses and permission that remain uncollected and the reasons thereof;
 - (c) share of taxes levied by the State Government and transferred to the Corporation and the grants released to the Corporation;
 - (d) grants released by the State Government for implementation of the schemes, projects and plans assigned or entrusted to the Corporation, the nature and extent of utilization;
 - (e) money raised through donation or contribution from public or non-governmental agencies;
- (xii) annual budget allocated to each ward;
- (xiii) such other information, as may be prescribed."

CHAPTER 5

MAHARASHTRAMUNICIPAL COUNCILS, NAGAR PANCHAYATS AND INDUSTRIAL TOWNSHIPS ACT, 1965

5. Insertion Of Chapter Vi-A In Mah. XI Of 1965 :-

After section 87 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, (Mah. XL of 1965) the following Chapter shall be inserted, namely :-

"CHAPTER VI-A

DISCLOSURE OF SPECIFIED INFORMATION

87-A. Disclosure of specified information. - (1) The Council shall maintain and publish all its record duly catalogued and indexed in a manner, and form which enables the Council to disclose the information, specified in sub-section (3).

(2) The manner of disclosure of information shall include the publication of the information -

- (i) in Newspapers;
- (ii) on Internet;
- (iii) on Notice boards of the Council at its Head Office as well as other offices, if any;
- (iv) by such other mode, as may be prescribed :

Provided that, the information shall be disclosed in the language in which it is available with the Council.

(3) The Council shall be required to disclose the following information, namely :-

(i) particulars of the Council;

(ii) a statement showing the boards, Councils, Committees and other bodies, by whatever name called, constituted for the purpose of exercising the functions of the Council or rendering advise to it, whether or not the meetings of those boards, Councils, Committees and other bodies are open to the public or the minutes of such meetings are accessible to the public;

(iii) a directory of its officers and employees;

(iv) the particulars of officers who are empowered to grant concessions, permits of authorisations for any activity of the Council;

(v) audited financial statements showing Balance sheet, Receipts and Expenditures, and cash flow on a quarterly basis, within two months of end of each quarter, and audited financial statements for the full financial year, within three months of the end of the financial year;

(vi) the statement showing each of the services provided by the Council;

(vii) particulars of all plans, proposed expenditures, actual expenditures on major services provided or activities performed and reports on disbursements made;

(viii) details of subsidy programmes on major services provided or activities performed by the Council, and manner and criteria of identification of beneficiaries for such programmes;

(ix) particulars of the master plan, city development plan or any other plan concerning the development of the municipal area;

(x) the particulars of major works, as may be specified by notification by the State Government, in the Official Gazette, together with information on the value of works, time of completion and details of contract;

(xi) the details of the 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 the reasons thereof;

- (c) share of taxes levied by the State Government and transferred to the Council and the grants released to the Council;
- (d) grants released by the State Government for implementation of the schemes, projects and plans assigned or entrusted to the Council, the nature and extent of utilization;
- (e) money raised through donation or contribution from public or non-governmental agencies;
- (xii) annual budget allocated to each ward;
- (xiii) such other information, as may be prescribed."