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THE TELANGANA GAZETTE
PART IV-A EXTRAORDINARY
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No. 21] HYDERABAD, TUESDAY, OCTOBER 13, 2020.

TELANGANA BILLS
TELANGANA LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Telangana Legislative Assembly on 13th October, 2020.

L. A. BILL No. 21 OF 2020.

A BILL FURTHER TO AMEND THE GREATER HYDERABAD MUNICIPAL CORPORATION ACT, 1955.

Be it enacted by the Legislature of the State of Telangana in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Greater Hyderabad Municipal Corporation (Amendment) Act, 2020.

Short title and commencement.

[1]

B. 127(H)

(2) Section 2 of this Act shall be deemed to have come into force with effect from 08.01.2016.

(3) Sections 3, 4, 5 and 6 of this Act shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

**Amend-
ment of
section 5,
Act II of
1956.**

2. In the Greater Hyderabad Municipal Corporation Act, 1955 (hereinafter referred to as the principal Act), in section 5, in sub-section (2),-

(i) in clause (c), for the words "not less than one third", the words "fifty percent" shall be substituted;

(ii) in clause (d), for the words "not less than one third", the words "fifty percent" shall be substituted;

(iii) after clause (d), the following clause shall be inserted, namely-

(e) the allotment by rotation to different Wards as provided under clauses (a), (b) and (d) once made, shall be in force for two consecutive terms;"

(iv) under the heading Explanation, after the explanation (ii), the following explanation shall be added, namely,-

"(iii) For the purposes of clauses (a), (b), (d) and (e), the 50% reservation of wards in the Corporation implemented vide G.O.Ms.No.25 MA & UD, dated: 08.01.2016 to Scheduled Tribes, Scheduled Castes, Backward Classes and Women on the basis of total number of seats as prescribed in G.O.Ms.No.169 MA & UD, dated: 23.11.2015 and G.O.Ms.No.186 MA & UD, dated: 11.12.2015, shall be treated as first term, as the elections to the Corporation were conducted on 02.02.2016."

**Substitu-
tion of
section 8-A.**

3. In the principal Act, for section 8-A, the following section shall be substituted, namely,-

“Constitution of Ward Committees.” 8-A. (1) There shall be constituted four (4) Ward Committees for each Ward of the Corporation in the manner as prescribed under this Act.

(2) Each Ward Committee shall consist of a maximum of 25 members consisting of residents from the Ward and from among the resident welfare associations, community based organizations, other such groups and individuals, by rotation annually and shall be entrusted with taking up issues pertaining to each of these groups pertaining to that Ward:

Provided that half of the members to be nominated to the Ward Committees shall be women.

(3) These Ward Committees shall meet once in a quarter and salient issues raised by them pertaining to their ward be placed before the next Corporation meeting.

4. In the principal Act, for section 8-B, the following section shall be substituted, namely,-

Substitu-
tion of
section 8-B.

“Functions of Ward Committees.” 8-B. (1) The Ward Committee constituted in a Ward, shall take up issues pertaining to each of the groups which the particular Ward Committee represents and among others will discuss and ensure,-

(a) proper maintenance of sanitation and solid waste management, and construction and demolition waste management;

(b) tree plantations, Haritha Haram and survival of at least 85% plants;

(c) maintenance of parks, playgrounds, public toilets, street lights, markets and public places;

(d) facilitate collection of taxes, fees and other such dues to the Corporation;

(e) prevention of unauthorised constructions and encroachments and taking it up with the authority to have them demolished;

(f) discourage use of plastics;

(g) encourage art and cultural activities, sports and games.

(2) The minutes of the meeting shall be drawn and placed in the next Corporation meeting for discussion and the Secretary shall be responsible for placing the minutes in the next Corporation meeting.

Amend-
ment of
section 24.

5. In the principal Act, in section 24, -

(i) after the opening paragraph and before the existing proviso, the following proviso shall be inserted, namely, -

“Provided that the Election Commission shall issue such notification or the Schedule and dates on which election will be conducted in concurrence with the State Government, which has to consider matters pertaining to law and order situation, internal security, security personnel, central armed police forces and the logistics of their deployment, availability of staff for election related duties, availability and procurement of election related material and premises for polling and counting, conduct of elections to other legislative and statutory bodies, natural calamities and seasonal conditions including drinking water situation and agricultural season, major fairs and festivals, education calendar and examinations in schools and colleges, likely onset of any epidemic diseases, operations relating to collection of vital statistics like census or any other enumeration, and matters involving public interest and any other administrative exigencies.”.

(ii) in the existing proviso, after the word “Provided”, the word “further” shall be inserted.

6. In the principal Act, after section 183, the following sections shall be inserted, namely,-

Insertion of
new
sections
183-A and
183-B.

“Green Budget.” 183-A. The Corporation shall allocate 10% of the Annual Budget as the “Green Budget” to meet the requirements of plantations and nursery.”.

“Zone wise-Green Action Plan.” 183-B. (1) The Corporation Level Committee headed by the Commissioner, and consisting of Additional Commissioner (Urban Bio Diversity) or equivalent level officer in charge of Haritha Haram and respective Zonal Commissioners shall draw up Ward-wise and Circle-wise “Green Action Plan” year-wise for a period of 5 years which will clearly specify number of plants to be planted, keeping in mind the area, topography and availability of all possible spaces available for taking up plantations.

(2) The Committee shall accordingly decide the size and location for setting up the Ward-wise nursery which will be sufficient to meet the requirements of the Ward. The Committee shall also decide the Corporation Green area specific plants and species to ensure maximum survival and growth of these plants. A campaign to propagate plantation involving all possible advertising means such as, cinema slides and other such means shall be taken up to keep up the momentum.

(3) The cost of maintaining the nursery and taking up plantations and their survival shall be met from the “Green Budget” earmarked in the Corporation budget.

(4) The Mayor or Ward member and the Zonal Commissioner or Deputy Commissioner or any other officer authorized by Commissioner, shall be responsible for setting up the nursery to take care of the requirements of their area. The nursery should be able to meet the year-wise requirements of the Zone anytime for a period of

5 years and additional capacity to meet the requirements also by the households to take up plantations within their individual plot premises. These saplings will be provided free of cost.

(5) The Zonal Commissioner shall designate Special or Nodal Officers for Ward(s) so as to cover all the Wards who will be responsible for taking up the plantation and ensuring their survival in accordance with the Ward-wise action plan. Zone-wise "Green Action Plan".

(6) The Ward member shall be responsible for taking up the plantations in his or her ward as per the 'Zonal Green Action Plan' and ensuring their survival.

(7) It shall be the responsibility of the Ward member and the Special Officer to ensure 85% survival of plants. Likewise, it shall be the responsibility of the Ward member and the Zonal Commissioner to ensure proper upkeep and growth of nursery. The Commissioner shall have the power to form flying squads and take up regular inspections of these plantations ward-wise and the stat of Nurseries.

(8) In all such cases where the survival is less than 85% and or there is no or lackadaisical involvement of the Ward member or the Special or Nodal Officer resulting in poor survival of plants, the Ward member shall be disqualified and removed and likewise, the Special or Nodal Officer shall be removed from service by the Commissioner, for his or her failure to ensure 85% survival of plantations."

STATEMENT OF OBJECTS AND REASONS

Sub-section (2) of section 5 of the Greater Hyderabad Municipal Corporation Act, 1955 (Act No.11 of 1956) provides reservation of seats to Scheduled Tribes, Scheduled Castes, Backward Classes & Women are being allotted by rotation by different wards in the Corporation for every election and provides only one-third of the seats to be reserved for Women.

The provisions under the Telangana Panchayat Raj Act, 2018 (Act No.5 of 2018) and Telangana Municipalities Act, 2019 (Act No.11 of 2019) provides the reservation of seats to Scheduled Tribes, Scheduled Castes, Backward Classes & Women by rotation for two consecutive terms to different wards in the rural and urban local bodies and provides 50% of the seats to be reserved for Women. The Acts also stipulates the provision of Green Action Plan to improve the greenery and also fix responsibility on the Ward Member and Nodal Officer of that Ward in order to ensure 85% of the survival of the plants which will improve the overall environment not only the ward but also the overall improvement of greenery by allocating 10% of Annual Budget. The Telangana Municipalities Act, 2019 stipulates the provision of Ward Committees for proper maintenance of sanitation, solid waste management, Harita Haram, maintenance of parks, playgrounds, public toilets, street lights, markets and other public places.

In order to have uniformity of reservation of seats to Scheduled Tribes, Scheduled Castes, Backward Classes and Women in all urban local bodies, it is proposed to amend sub-section (2) of section 5 of GHMC Act, 1955 and the schedule and date on which elections will be conducted shall be decided by the State Election Commission in concurrence with the State Government, it is proposed to amend section 24 of the GHMC Act. Further, to fix responsibility on the Ward Members and Nodal Officers for setting up the nurseries and to improve greenery, it is proposed to provide 10% of annual budget for the said purpose by bringing suitable amendment to the GHMC Act.

This Bill seeks to give effect to the above decisions.

K. TARA KA RAMA RAO,
Minister for Municipal Administration &
Urban Development, Industries &
Commerce and Information Technology.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1(3) and 3 of the Bill authorizes the Government to issue notifications or to make rules in respect of matters specified therein and generally to carry out the purposes of Act. All such rules so made or notifications issued which are intended to cover matters mostly of procedural in nature are to be laid on the table of the State Legislature and will be subject to any modifications made by the State Legislature.

The above provisions of the Bill regarding delegated legislation are thus of normal type and are mainly intended to cover matters of procedure.

K. TARA KA RAMA RAO,
Minister for Municipal Administration &
Urban Development, Industries &
Commerce and Information Technology.

**MEMORANDUM UNDER RULE 95 OF THE RULES OF
PROCEDURE AND THE CONDUCT OF BUSINESS IN
THE TELANGANA LEGISLATIVE ASSEMBLY.**

The Greater Hyderabad Municipal Corporation (Amendment) Bill, 2020, after it is passed by the State Legislature may be submitted to the Governor for her assent under article 200 of the Constitution of India.

K. TARA KA RAMA RAO,
Minister for Municipal Administration &
Urban Development, Industries &
Commerce and Information Technology.

Dr. V. NARASIMHA CHARYULU,
Secretary to State Legislature.