

R.N.I.No. TELMUL/2016/73158
HSE No. 1051/2020-2022

[Price : Rs. 15-00 Paise.



తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-A EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 7] HYDERABAD, MONDAY, SEPTEMBER 12, 2022.

TELANGANA BILLS
TELANGANA LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Telangana
Legislative Assembly on 12th September, 2022.

L. A. BILL No. 7 OF 2022.

**A BILL FURTHER TO AMEND THE GREATER
HYDERABAD MUNICIPAL CORPORATION ACT,
1955 AND THE TELANGANA MUNICIPALITIES
ACT, 2019.**

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

1. (1) This Act may be called the Telangana Municipal
Laws (Amendment) Act, 2022.

B. 60-1 (DA)

[1]

Short title
and
commence-
ment.

(2) Save as otherwise provided, the sections 2, 3 and 4(a) shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

(3) Save as otherwise provided, section 4 (b) shall come into force with effect from 2nd February, 2024.

Amend-
ment of
the
Greater
Hyderabad
Municipal
Corporation
Act, 1955.
(Act II of
1956)

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

(1) in section 5,-

(i) in sub- section (1-B) for the word "three" the word "nine" and for the word "one" the word "five" shall be substituted;

(ii) in sub- section (1-C) for the word "two" the word "six" and for the word "one" the word "three" shall be substituted.

Amend-
ment of
the
Telangana
Municipalities
Act, 2019.
(Act No. II
of 2019)

3. In the Telangana Municipalities Act, 2019, (hereinafter referred to as principal Act),-

(1) in section 5, for sub-sections (4) and (5) substitute the following, namely,-

"(4) Two persons in the case of Municipal Council and upto six persons in case of Municipal Corporations having special knowledge or experience in Municipal Administration co-opted by the members specified in sub-sections (2) and (3), as prescribed and the persons should be the registered voters in the Municipality and they should possess the age not less than twenty one (21) years

as on the date of notification and fifty percent amongst them shall be women.

(5) Two persons in case of Municipal Council and upto four persons in case of Municipal Corporations belonging to minority community co-opted by the members specified in sub-sections (2) and (3) as prescribed and the persons should be the registered voters in the Municipality and they should possess the age not less than twenty one (21) years as on the date of notification and fifty percent amongst them shall be women.

(2) in section 20, in sub-section (1), after the word and expressions "clauses (a) (b) (c)" the word and expression "and (d)" shall be inserted";

(3) in section 37, in the first proviso thereunder, for the word and expression "three (3)" the word and expression "four (4)" shall be substituted;

(4) in section 200, in sub-section (1),-

(i) for clause (a), the following shall be substituted, namely,-

"(a) any premises are needed or is likely to be needed for the purpose of being used as polling stations, for counting, for storage of ballot boxes, voting machines (including voter verifiable paper audit trail) and poll related material after a poll has been taken, accommodation for security forces and polling personnel; or";

(ii) in clause (b), for the proviso thereunder, the following provisos shall be substituted, namely,-

"Provided that such premises shall be requisitioned after issuance of the Notification by the State Election Commission.

Provided further that no vehicle which is being lawfully used by a candidate or his agent for any purpose, connected with election of such candidate shall be requisitioned under this sub-section until the completion of the poll at such election.";

Amend-
ment of
Schedule - I.

4. In the principal Act, in Schedule-I,-

(a) under the heading "XIV MANCHERIAL", against SI.No.41, in column (3) for the word "Kyathanpally" the word "Ramakrishnapur" shall be substituted;

(b) after SI.No.128, the following shall be added at the end in the respective columns,-

Sl. No.	Name of the District	Name of the Municipality	Number of wards
1	2	3	4
XXXI	MULUGU		
129		Mulugu	20

STATEMENT OF OBJECTS AND REASONS

Section 5 of the Greater Hyderabad Municipal Corporation Act, 1955 provides for Composition of the Corporation, and sub-section (1-B) of section 5 provides that in addition to the members referred to in sub-sections (1) and (1-A) three members shall be co-opted as member of corporation and one among them shall be a woman. Sub-section (1-C) provides that two persons belonging to the minority shall be co-opted as member of corporation. However, in 2008 the MCH was transformed into Greater Hyderabad Municipal Corporation (GHMC) with increased jurisdiction by way of merger of surrounding municipalities and the total wards increased to 150. At present the jurisdiction of the Greater Hyderabad Municipal Corporation is spread over approximately 675 sq. Kms, accounting for a population of 67.32 Lakhs (as per the 2011 census). Therefore, it is decided to increase the number of co-option members (i) having special knowledge or experience in Municipal Administration from (3) to (9), and (ii) persons belonging to minorities' from (2) to (6), by amending the above section 5 of the Greater Hyderabad Municipal Corporation Act, 1955.

The Headquarter of the newly formed Mulugu District, "Mulugu" is still a Grampanchayat. The Mulugu Gram Panchayat Area & its peripheral villages i.e. Bandarupally and Jevantharaopally Grampanchayats are fast acquiring urban characteristics in recent times and it has become one of the tourism hub in the State of Telangana. To cope with the increasing Tourist Population, the Government have started "Haritha Hotel" in Mulugu.

Hence, it is proposed to constitute the Mulugu Municipality duly merging the villages Bandarupally and Jevantharaopally Gram panchayats with Mulugu Gram panchayat and its all Bodies shall come into being after full completion of term of elected Gram Panchayat bodies i.e. w.e.f.02.02.2024 by suitably amending Schedule-I of the Telangana Municipalities Act, 2019.

Ramakrishnapur Village covers a major part in "Kyathanpally Municipality". Further, the existing important public institutions serving the area like Police Station, Post Office, Area Hospital, Banks, etc., are named after Ramakrishnapur locality. Further, the people living in this Municipality were habituated/accustomed to call and name this Village / Town as Ramakrishnapur and they have incorporated / mentioned their village / town name as Ramakrishnapur. Hence, it is proposed to amend the Schedule-I of the Telangana Municipalities Act, 2019 for changing the name of Kyathanpally Municipality as Ramakrishnapur Municipality.

The wards of the Municipal corporations in the State (except GHMC) have enhanced due to merger of surrounding Grampanchayats through Act 4 of 2018. Therefore, in view of significant increase of jurisdiction, population and election wards, it is appropriate to have commensurate increase in the number of co-option members.

Therefore, it is proposed to amend the section 5(4) and section 5(5) of the Telangana Municipalities Act, 2019 for enhancing the number of co-option members from the existing (5) to (10) in respect of all Municipal Corporations in the State (except GHMC).

The Section 5 of the Telangana Municipalities Act, 2019 (Act No.11 of 2019) defines the composition of the Municipality. Where in, it was specified that, (i) MLAs (ii) MLCs (iii) Lok Sabha Member & (iv) Rajya Sabha Member are the Ex. officio Members of Municipality. Further, in Section 20(1) of the Telangana Municipalities Act, 2019, in Election of Chairpersons/Mayors and Vice-Chairperson/Dy. Mayors, erroneously/ typographically, the Rajya Sabha Member was not carried out as elector. Therefore it is proposed to amend the Section 20(1) of the Telangana Municipalities Act, 2019.

The Telangana Municipalities Act, 2019, provides (3) years for passing No confidence motion against Chairperson/ Vice-Chairperson. Further, it is observed that, as on 26.01.2023, the

mandatory period of (3) years for expressing No confidence of Motion, is going to be completed for (129) ULBs. The Municipal Councilors/ Corporators in various ULBs are gearing themselves to move a motion of No Confidence against the existing Chairman/Mayor as the case may be. In most of the cases, the reason behind such move is just to use it as a leverage to threaten or blackmail the existing incumbents. As per Section 263(1) of the Panchayath Raj Act, 2018, the said period is (4) years. Therefore it is decide to amend the section 37 of the Telangana Municipalities Act, 2019 for enhancing the period from 3 years to 4 years.

The Ministry of Law and Justice, Government of India has amended the Representation of the People Act, 1951 (Act No. 43 of 1950) for acquiring the premises for polling stations, counting, storage of ballot boxes, EVMs, VVPATs and poll related material and accommodation of security personnel and polling personnel. The State Election Commission has recommended that the election related provision of the Telangana Municipalities Act, 2019 have to be amended on the lines similar. Therefore it is proposed to amend the Section 200 (1) of the Telangana Municipalities Act, 2019.

The Government after careful consideration of the proposals decided to amend the Greater Hyderabad Municipal Corporation Act, 1955 and the Telangana Municipalities Act, 2019 suitably.

This bill seeks to give effect to the above decisions.

K. TARAKA RAMA RAO,
Minister for Information Technology,
Electronics & Communications,
Municipal Administration &
Urban Development, Industries &
Commerce.

**MEMORANDUM REGARDING DELEGATED
LEGISLATION**

Clause 1(2) and 2 of the Bill authorize the Government to issue notifications or to make rules in respect of matters specified therein and generally to carryout the purposes of the Act and 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 both Houses of the State Legislature and will be subject to any modifications made by the 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 Information Technology,
Electronics & Communications,
Municipal Administration &
Urban Development, Industries &
Commerce.

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

The Telangana Municipal Laws (Amendment) Bill, 2022 after it is passed by both Houses of 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 Information Technology,
Electronics & Communications,
Municipal Administration &
Urban Development, Industries &
Commerce.

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