

Karnataka Municipal Corporations (Ward Committee) Rules, 2016

URBAN DEVELOPMENT SECRETARIAT NOTIFICATION

No. UDD 507 MNY 2012. Bengalurti, Dated: 22-6-2016

Whereas, the draft of the Karnataka Municipal Corporations (Ward Committee) Rules, 2015 was published as required by sub-section (1) of section 421 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977) in Notification No.UDD 507 MNY 2012, dated: 26.05.2015 in Part-NA of the Extra-ordinary Gazette, No.612 dated: 26.05.2015 inviting objections and suggestions from all persons likely to be affected thereby from thirty days from the date of its publication in the official Gazette.

And whereas, the said Gazette was made available to the public on 26.05.2015.

And whereas, the objections and suggestions received have been considered by the State Government.

Now, therefore. in exercise of the powers conferred by section 13K read with section 421 of the Karnataka Municipal Corporations Act. 1976 (Karnataka Act 14 of 1977), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and Commencement:- (1) These rules may be called the Karnataka Municipal Corporations (Ward Committee) Rules, 2016.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Definitions:- In these rules. unless the context otherwise requires,-

(a) "Act" means the Karnataka Municipal Corporations Act.1976 (Karnataka Act14 of 1977);

(b) "Chairperson" means Chairperson of the ward committee.

(c) "Clear day" means days excluding Sundays and public holidays:

(d) "Member- means a member of the Ward Committee;

(e) "Secretary" means an officer designated by the Commissioner under sub-section (4) of section 131-1 of the Act.

(f) "Section" means section of the Act;

(g) "Urgency" means urgency due to natural calamities, outbreak of deceases or *fire*.

3. Functions of the Ward Committee:- (1) The Ward Committee shall discharge the functions as specified to section 13-1 of the Act.

Provided that, the Ward Committees may recommend to the Corporation for the disciplinary action on those officers who fail to carry out the resolutions of the Ward Committee which are in accordance with rules subject to availability of funds.

4. Functions of the Secretary:-

- (1) The Secretary shall:-
- (a) be responsible for preparing the agenda of the meeting in consultation with chairperson and also sign the agenda to be transacted in the meeting;
 - (b) issue notice to the members and officers for the upcoming meeting including special invitees, if any;
 - (c) have custody of all papers and documents connected with the proceedings of the meeting of the Ward Committee;
 - (d) attend every meeting of the Ward Committee and take part in the proceedings but shall not be entitled to vote;
 - (e) furnish his opinion or any clarification in respect of any resolution or any question that arises in the meeting;
 - (f) forward all resolutions of the Ward Committee to the Concerned Authorities for necessary action,
 - (g) shall ensure follow-up action on all resolutions of the ward committee and provide an Action Taken Report at every Ward Committee meeting on the resolutions passed at the previous meeting.
 - (h) be responsible for the protection of the property that belongs to the Corporation.
 - (i) Provide the necessary information to the ward committee, if the ward committee desires, on all Government schemes which fall in the ambit of the function of the Ward Committee.
 - (j) endeavour to furnish the information related to the ward committee in the public domain.
- (2) The Commissioner shall make available to the Ward Committee through the Secretary the following information, namely:-
- (i) Decisions of the Standing Committee:
 - (ii) Decisions or resolutions of the Council;
 - (iii) ward-wise budgetary allocation made, if any, by the Corporation or any of the Standing Committee:
 - (iv) copy of the Ward map,
 - (v) details of the Corporation properties ward-wise,
 - (vi) information on revenue streams; and
 - (vii) information which is needed for the proper functioning of the ward committee as per section 13-1.

5. Calling of the Ward Committee Meeting and Preparation of Agenda for the Meeting:-

(1) The Chairperson of the Ward Committee shall endeavour to fix a particular day in a month for the meeting and shall be made known to the public. However, the meeting of the ward committee shall not be held on the day of the council meeting or on the day of meeting of any standing committee of the Corporation.

(2) In case the Chairman feels to call a meeting in a month, or if one third of the Ward Committee members feel the need to call for a meeting, the Chairperson shall, on the request in writing of not less than one third of the members of the Ward Committee, convene a meeting of the Ward Committee provided the requisition calls attention to the fact that a monthly meeting has not been called or specifies the purpose for which the meeting is to be held.

(3) The meeting shall not be held unless Seven Clear days notice along with the agenda for the meeting is circulated in advance to all the members. However, in case of urgency the meetings shall be convened within 48 hours by serving proper notice or communication to all the members.

(4) Every notice of the meeting shall be issued by the Secretary of the Committee. The notice shall be exhibited in all prominent public offices with the ward such as Water Supply Office, Electric Supply Office, Public Health Centres, etc.

(5) Steps are to be taken to ensure that a Link is created on the Corporation website for each ward and all meeting notices and agenda for the meetings are published on it in the timely manner.

(6) In cases of Urgency the reasons may be explicitly mentioned in the Urgent meeting notices.

(7) Members may give suggestions to the secretary on the meeting agenda one week prior to the issuing of meeting notice. The Secretary shall bring the suggestions to the notice of the chairperson.

6. Procedure for Transaction of Business of the Ward Committee:-

(1) The Chairperson in consultation with the Commissioner keeping in view of the public participation choose a suitable place of the meeting. The place of the meeting as far as possible shall be in the ward office premises or place adjacent to the ward office of the concerned ward. If the ward office premises are insufficient for this purpose, alternative venues such as Government schools or public spaces proximal to the ward office may be utilized.

(2) Any citizen may approach the chairperson or any of the member for addressing any issues related to public and ward development. If there no improvement, then it is open for such citizen to file a complaint before the commissioner giving

all particulars and also explaining in the action on the part of the chairperson and the members.

(3) quorum for conducting the Ward meeting shall be 1/3 of the total members of the Committee.

(4) No member shall take part in the discussion of any question coming up for consideration at the meeting if the question is one in which he has any direct or indirect pecuniary interest by himself or his Partner.

(5) All the meetings of the Ward Committee shall be open to the public.

(6) Minutes of the meeting shall be recorded. Videography of the meeting may be allowed for the public also.

(7) Links shall be created on the Corporation website for each ward and all notices and minutes of the meetings shall be published in a timely manner.

(8) The Chairperson shall establish a Disaster Management Cell at Ward Level.

7. Accounts and Audit of the Ward Committee:-

(1) The accounts of all receipts and expenditure of the Ward Committee for the purpose of conduct meetings and discharge of their function shall be given by the Financial rules made under section 151 of the Act.

(2) Annual Reports shall be prepared by the Secretaries of the respective wards for every financial year and submit the same to the Commissioner before the month of August of the succeeding financial year.

8. Repeal and Savings:- The Karnataka Municipal Corporations (Ward Committee) Rules. 1997 shall be repealed with immediate effect.

Provided that such repeal shall not affect, the previous operation of the said rules or anything duly done or any action taken thereunder: or any right, privilege, obligation or liability acquired, accrued or incurred under the said rules.

By Order and in the name of the Governor of
Karnataka.,

N.Narasimhamurthy
Under Secretary to Government
(I/C)
Urban Development Department